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**A Struggle Unfinished: Riots, Race in America, and the
Failures of the 1968 Kerner Commission**


by

Sam Abramson

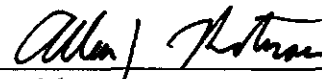
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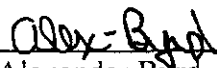
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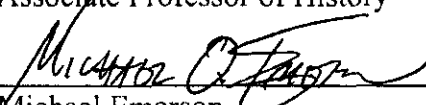
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Abstract

A Struggle Unfinished: Riots, Race in America, and the Failures of the 1968 Kerner Commission

By

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This dissertation explores the life of the Kerner Commission—a task force founded by President Lyndon Johnson on the heels of riots across America—from its inception in the summer of 1967 to its aftermath in the spring of 1968. The dissertation examines the primary actors involved with the commission and seeks to explain why they arrived at the conclusions they did, how those who resisted along the way did so, why such conclusions fell on deaf ears, and how the report ultimately failed to accomplish its stated objectives. It argues that the Kerner Commission’s report—a comprehensive study on race in America and the causes of rioting that was unprecedented in its scale and particularly poignant in the afterglow of landmark civil rights legislation—was an inspired, unsparing document that failed for a number of reasons beyond its control, including a cold reception from the Johnson White House, a conservative Congress unwilling to spend due to partisan politics and the Vietnam War, a majority of white Americans believing that the report—in its twin calls for increased domestic spending and focused dialogue to amend white racial attitudes—was misguided, Johnson’s televised announcement that he would not seek reelection, and Martin Luther King Jr.’s assassination, among other reasons. This dissertation traces the trajectory of a lost opportunity to confront questions on race, rioting, and unfinished civil rights work in America that remain unanswered to this day.

Acknowledgements

I don't have anything profound to say about the actual process of researching and writing a dissertation, I'm afraid. I have never defined myself by my work and I'm a firm believer that the people who've helped and whom I've met along the way—friends, family, colleagues, mentors—are what make life and its experiences rewarding. In that sense, this section is perhaps the most important part of this entire project to me. No matter how beautiful this campus is or how many brilliant minds it accommodates, the experience at Rice is nothing without the people that *you* know. When I visited on recruitment weekend seven years ago, I believed this department—the faculty and the students it attracts—were a good match for my interests and broader approach to history and life. I was right.

I'm fearful of leaving someone out, because there are so many people to whom I owe thanks for where I am today. Rice faculty have been wonderful, encouraging mentors along the way. Thank you first and foremost to John Boles, this project's main adviser and the man who first suggested I explore this as a research topic. Dr. Boles has believed in me—that I have something to say and the writing skills to say it—from the first seminar I had with him in coursework, and for that I am grateful. Thank you as well to my other committee members—Allen Matusow, Alex Byrd, and Michael Emerson—for their encouragement and constructive feedback on this project. I have had the pleasure of taking courses with both Dr. Matusow and Dr. Byrd; both are outstanding historians and teachers whose methods I've observed and tried to apply to my own teaching. While I do not know Dr. Emerson quite as well, his willingness to remain on my committee despite leaving Rice has been much appreciated and he's been generous to make time for

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I could not have completed this project without the assistance of the staff at the Johnson Presidential Library in Austin. Thank you most notably to Allen Fisher, who was always willing to chat about the library’s holdings and potential items to consider on each visit. Thank you as well to every staff member who pulled boxes for me each morning and checked my laptop every afternoon. In April 2013, on my fourth visit to the archives, I realized that I was sharing the reading room with Robert Caro—the only person in the

room in a suit and tie. By the end of the week, while he was on a break, eating a banana on the couch outside, I worked up the courage to go introduce myself and tell him about my project. He could not have been nicer, and when I showed him one particular piece of information, he asked for my address, so that he could perhaps contact me at a later date. It was both surreal and humbling for a Pulitzer Prize winner to ask for my contact information about a project, and it once again gave me a boost of confidence and indicated that this project was worthwhile. Thank you to Mr. Caro for the encouragement and the willingness to chat.

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My parents, Lisabeth Hughes and Les Abramson, are the reason I am where I am today. They have devoted their lives to their children and given us endless opportunities to see the world, learn new skills, and pursue the things that interest us. I owe my intellectual curiosity and interest in history to my experiences as a kid, and none of these experiences would have happened without my parents. They always made time to help

with homework, or edit a paper, or talk about something that made me anxious. I was visiting colleges as a sophomore in high school because of them, and was able to choose the school I wanted due to their hard work and willingness to push me to excel. They have always been very involved without being overbearing, encouraging without trying to determine my path for me. As writers themselves, they helped me retain good writing habits and shirk bad ones. We don't choose our families or our parents, and as I've gotten older I've realized just how lucky I have been with my draw. If not for an entire lifetime worth of love and support from them, there is simply no way I would have made it to Rice or completed this project.

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Introduction

When I started writing this dissertation in November 2014, a grand jury in Ferguson, Missouri, had just announced that it would not charge police officer Darren Wilson in the fatal shooting of Michael Brown three months prior. The announcement sparked a wave of protests and rioting in the early portion of Thanksgiving week. As my eyes darted between my computer and cable news, I was unnerved by the similarities between the two screens. Brown's death and the aftermath of the grand jury's decision rekindled familiar narratives of police brutality: brutality that involved white officers, impoverished neighborhoods, and unarmed, nonwhite victims. Reaction to the rioting quickly splintered, often along partisan lines: in the nascent days of the Black Lives Matter movement, many viewed Michael Brown as the latest notch on a harrowing timeline, a timeline riddled with racial profiling and institutional racism and a failure to bring murderers to justice. That these notches signaled unprovoked death devoid of respect for people of color was precisely the issue. Protesters had tired of this treatment, of much of America ignoring pockets of black poverty—whether in suburbs or city centers—of a cycle of decline and hopelessness that too often faulted its victims for their own burdens. Rioting did not simply lash out at injustice over one particular event; it did so over a broader apathy toward urban squalor and the conditions that yielded rioting in the first place. Perhaps outsiders simply did not care. Perhaps they believed conditions were self-inflicted or exaggerated. Perhaps they feigned concern but did nothing constructive to help those in need. Regardless, the violence and destruction was a last resort, a plea for outsiders to listen.

On the other side, there was confusion over why rioters destroyed their own communities as well as a refrain to obey law and order. This posited that shootings would not happen if everyone obeyed the law, that rioting threatened peace, that movements fueled by outrage over fatal police shootings besmirched the name of good cops. Riots and subsequent protests were the doings of a select few, critics claimed, of outside agitators who only wished to foster chaos. Police had no obligation to coddle criminals or have their integrity questioned, these critics said, and protesters only empowered others to break the law and worsen the situation. These two camps harbored opposing viewpoints on rioting, police, and the state of race in America; after each incident, predictable talking points resurfaced. When Freddie Gray died in police custody in Baltimore, Maryland, five months later, in April 2015, there was again scrutiny of the specific circumstances of his death and the broader implications of blackness in America. Conversely, there were critics of the riots themselves, of gratuitous criminal behavior, of rushing to judgment and assuming police wrongdoing without all of the facts.

What struck me with every development, every headline, every piece of commentary on these events, was just how much the television on in the background felt like my chapter one—America in the summer of 1967, embroiled in urban violence and fearful of how it might end. A half-century ago, in the afterglow of the Civil Rights Act of 1964 and the Voting Rights Act of 1965, riots besieged American ghettos when temperatures ran hot. The events precipitating these riots often followed a tragic and longstanding script in American cities: accusations of police brutality, usually wrapped up in racial profiling, that often fed off rumors or broader, racially tinged frustrations with ghetto life. Frayed nerves and simmering resentment often mushroomed into death

and destruction after dark, snarling into a mess of confusion and inebriation and damage that left many Americans wondering what had gone wrong or how any of it had started. Only after curfews, or sending in the National Guard, or, in the case of Detroit, sending in the U.S. Army, could cities restore order.

This dissertation is about the aftermath of those riots, a brief window in American history when they were the foremost domestic issue and the federal government set out to answer pressing questions. President Lyndon Johnson tasked an eleven-member commission with evaluating the riots and determining how to prevent copycat sequences going forward. It is disheartening that these events and forthcoming dialogues abound in the present day, and it is also sadly instructive. Fifty years ago, in the halcyon days of civil rights achievement, America had the same conversation on Newark and Detroit that it has recently had on Ferguson and Baltimore. With the banner pieces of civil rights legislation signed into law, the fury of summertime riots undoubtedly shocked much of white America. What about the progress? What about the goals attained? How could this happen in a decade so amenable to civil rights progress and confronting racism in America? It was up to the National Advisory Commission on Civil Disorders—chaired by Illinois Governor Otto Kerner and known colloquially as the Kerner Commission—to find out.

Johnson had assigned the commission to answer three primary questions on the heels of deadly riots in Newark and Detroit in the summer of 1967: “What happened? Why did it happen? What can be done to prevent it from happening again?”¹ On March 1, 1968, their report answered these questions, attributing the ugly inner-city violence, in

¹ *Report of the National Advisory Commission on Civil Disorders* (Washington: U.S. Government Printing Office, 1968), 4.

part, to white racism and social inequality, and detailing how political and economic structures contributed to suppressing the nation's poor. With the ominous observation that "our nation is moving toward two societies—one black, one white—separate and unequal," the Kerner Commission called for billions of dollars in spending on existing and new programs as well as white accountability in confronting the problems plaguing America's cities.² The report infuriated Johnson, a man consumed by the specter of the Vietnam War who interpreted the commission's suggestions of increased spending as an indictment of his own domestic agenda—after all, he reasoned, had he not done more on these issues than any previous president? When a staffer asked him to sign thank-you letters to the commissioners responsible for the report, Johnson fumed. "I can't just sign this group of letters. I'd be a hypocrite...Just file them, or get rid of them," he told chief speechwriter Harry McPherson Jr. in a telephone conversation on March 13, 1968.³ The letters expressed a "deep appreciation for your service" and "fulfilling a great responsibility for your country" to each commissioner.⁴ They were never signed or delivered, symbolizing the fractured relationship between the president and the commission he had established.

With an administration intent on discrediting the commission to preserve its own political reputation, and with reported discord among the commissioners themselves, the commission's findings and recommendations had virtually no momentum for change.

The Kerner Commission went from a promising study on how to address crucial urban-

² *Report of NACCD*, 3.

³ Lyndon B. Johnson, telephone conversation with Harry McPherson, Jr., March 13, 1968, Folder 16, Box 39, FG 690, National Advisory Commission on Civil Disorders, White House Confidential File, Lyndon B. Johnson Presidential Library, Austin, Texas.

⁴ Lyndon B. Johnson to I.W. Abel, et. al, Mar. 13, 1968, Folder 16, Box 39, FG 690, NACCD, CF, LBJ Library, Austin, TX.

suburban racial issues in America to a group the White House believed “could easily wind up creating almost as many problems as the riots themselves.”⁵ Just three days before the report’s release, a memo sought the president’s approval to “start leaking the report to diminish its overall impact, point up its enormous cost and the unrealistic nature of its recommendations.”⁶ Internally, commissioner Charles “Tex” Thornton feared the report may have embarrassed Johnson and was “troubled by the fact that some of the proposals are not realistic,” while fellow commissioner and New York City Mayor John Lindsay believed the report could have done more and “come out against the Vietnam War because of the resources it’s draining away from the cities.”⁷ Johnson’s decision to ignore the Kerner Commission’s findings betrayed men like Executive Director David Ginsburg and commissioner and Oklahoma Senator Fred Harris, who believed the report Johnson requested could be “a blueprint for our country for many years to come.”⁸ Focusing on the actors who clashed and tried to undercut the commission’s findings will illuminate why such a comprehensive and important document never quite gained traction.

From the moment it was established, there were doubts about the Kerner Commission and its objectives. Perhaps it would suffer the same fate as so many other presidential commissions, exhaustively carrying out its assignment before submitting a sound but ultimately inconsequential report, an unfilled prescription that would languish somewhere on a shelf. Perhaps it was too white—how, after all, could America expect

⁵ George Reedy to Lyndon B. Johnson, August 3, 1967, “11/23/63-9/30/67,” Box 386, FG 690, NACCD, White House Central Files, LBJ Library, Austin, TX.

⁶ Joseph Califano to Lyndon B. Johnson, February 26, 1968, “1/26/68-2/27/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁷ Califano to Johnson, Feb. 28, 1968, “2/28/68-3/13/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁸ Fred Harris to Lyndon B. Johnson, Mar. 4, 1968, “2/28/68-3/13/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

eight white men, one white woman, and two black men—neither of whom were young or militant—to speak authoritatively on the black experience and the conditions that bred rioting? Perhaps it was too liberal, handpicked by a Democrat president, and would view rioting and race relations through a subjective lens, bound to tell its creator what he wanted to hear. Perhaps it was too moderate—filled with middle-of-the-road officials who had no desire to unearth unpleasant truths. Would the commission present race in America as work unfinished, or would it burnish President Johnson’s resume? There were reasons to be cynical and assume that Johnson’s executive order creating the commission was an empty political gesture, a maneuver designed to placate critics well in advance of the presidential election cycle.

In calling for “new attitudes, new understanding,” and “an unprecedented level of funding and performance” in its report, the Kerner Commission readily admitted it had “uncovered no startling truths, no unique insights, no simple solutions.”⁹ Task forces had studied riots before and identified many of the same factors that spawned them, whether it was in Chicago in 1919, Harlem in 1943, or, most recently, Los Angeles in 1965. “The destruction and the bitterness of racial disorder, the harsh polemics of black revolt and white repression have been seen and heard before in this country,” the report’s conclusion stated.¹⁰ What differed with the Kerner Commission, however, was both its scale and its timing. Previous commissions examined particular riots at the state and local level, but there had not been a national, comprehensive effort on the subject. The arduous summer of 1967 provided the ideal case study, as no corner of the nation was immune to violent outbreaks. One-hundred-and-sixty-four disorders occurred in 128 cities, only eight of

⁹ *Report of NACCD*, 13.

¹⁰ *Ibid.*

which were deemed “major” by the commission. In its brief existence, the Kerner Commission heard testimony from 130 witnesses, conducted field surveys of 23 affected cities, and even made visits to 8 of the cities, where they received personalized tours of riot-affected neighborhoods. The commission held 44 regular meetings, “usually in a former snack bar in the Senate building,” as well as “innumerable night sessions” off the record.¹¹ It produced a 250,000-word report, had a budget of \$1.6 million, and boasted 170 people on its payroll. This report did not have an isolated incident as its target, nor was it a small operation researched and written by a select few.

It also went to press in the aftermath of both the Civil Rights Act of 1964 and Voting Rights Act of 1965, two landmark pieces of federal legislation passed by nearly all-white Congresses and signed into law by the same white president. The Civil Rights Act was a culmination of the nonviolent protest movement against racial segregation in the American South, a sweeping act of civil rights legislation that outlawed race-based discrimination (among other forms) and dealt a federally codified death-blow to the Jim Crow era. When it passed in the House and Senate in 1964, there were five African American members of the House and no African American senators. When the Voting Rights Act forbidding racial discrimination in voting—again aimed at state and local laws in the South—passed the following summer, there were six African American members of the House and no African American senators. Each act had vindicated the tireless work of civil rights activists, from student-led sit-ins in Nashville and Greensboro to the 1963 Birmingham campaign to voting registration in Mississippi to Selma’s Bloody Sunday on the Edmund Pettus Bridge. That so many white legislators witnessed the civil rights

¹¹ “Roots of Riot—Call to Battle,” *Newsweek*, Mar. 11, 1968, “Reaction: Pre-Report”; Box 5, Series 39, Records of the National Advisory Commission on Civil Disorders, Record Group 282, LBJ Library, Austin, TX.

movement helmed by Martin Luther King Jr. and agreed was also significant; it was not just a movement for black students and white liberals, nor did its goals represent a minority view.

Less than four years later, however, President Johnson and members of Congress had a report on their desks that blamed white America for urban riots and the continuing black struggle. “What white Americans have never fully understood—but what the Negro can never forget—is that white society is deeply implicated in the ghetto,” the report declared, adding: “White institutions created it, white institutions maintain it, and white society condones it.”¹² The message was clear: long-awaited civil rights laws were watershed moments in the civil rights movement, but they had not corrected racial injustice nor the deep-seated hardships of the black experience wholesale. Yes, activists had toppled *de jure* segregation targets in the South, but that did little for the vagaries of ghetto life in Los Angeles, Newark, or Detroit. The Kerner Commission sought out the structural deficiencies that explained why civil disorders persisted, the unabated cycle of residential segregation, poor schooling, inadequate employment, and police discrimination that evaded a single uplifting speech or federal law. In an unrivaled era of civil rights goodwill, the Kerner Commission’s deliberative indictment of white America was a bold statement, one that emphasized how suffering in the shadows still accompanied progress in the limelight. For all of its achievements, the civil rights movement had not resolved the issues enveloping the state of race in America.

In its research phase, the Kerner Commission sought out public officials, academics, civil rights leaders, and others for testimony. Witnesses repeatedly told commissioners that they needed to provide an honest portrait of black life in America.

¹² *Report of NACCD*, 1.

Whether a task force of eight white men, one white woman, and two African Americans would grant this wish was certainly in doubt. Johnson himself endured criticism for excluding a “voice of the ghetto” from the proceedings, and this ended up a fortuitous choice. By snubbing young black voices from a commission focused largely on the lives of young black men, the president seemed to ensure that his commission would chart a safe course, shunting controversy or anything too incendiary about American race relations. Yet this choice, in a sense, only magnified the Kerner Commission’s final message of increased ghetto spending and curbing white racial attitudes. Had the message come from a commission of young radicals—particularly black radicals—it would have had more skeptics, more accusations of subjectivity. This was not a radical commission, however; its members were very much in the purview of mainstream American politics, and in this sense, it had stronger resonance, evident in the fact that the report sold a million copies in the first month after its release. When a body of white moderates spoke of pervasive white racism and the need to increase spending for cities, America listened; the commission was not a single voice, nor was it comprised of anti-war flag-burners or anyone likely to march with the Black Panthers. The moderate reputation preceding the Kerner Commission’s report only made its final product more striking.

For many of the subjects covered in both the Kerner Commission’s report and this dissertation—President Lyndon B. Johnson, his domestic political agenda, the civil rights movement, the conservative counterrevolution, the Vietnam War, rioting in America, employment, welfare, housing, public education, and presidential commissions, among others—there are entire literatures. In the landscape of 1960s American history, the Kerner Commission is frequently mentioned but seldom the focus of a sustained study.

Accordingly, the number of works I am directly in conversation with is meager; when the literature itself is thin, it makes a historiographical intervention rather difficult. Of the works that have dealt with the Kerner Commission specifically, most have a narrower focus. Historian Thomas Hrach, for example, examines how the media section of the commission's report forever altered how print and broadcast journalism approached poor, black neighborhoods in *The Riot Report and the News: How the Kerner Commission Changed Media Coverage of Black America*. In the summer of 2016, Princeton University Press reprinted the Kerner report in its entirety with an introduction by Julian Zelizer; Zelizer briefly discusses how the report and its themes remain relevant today, and how the nation veered from the report's bold recommendations in 1968 in favor of a more conservative course. An unpublished dissertation by Donald Lee Scruggs at the University of Oklahoma examines the Kerner Commission at length, but it does so through the joint lenses of presidential task forces and how the Johnson Administration approached domestic policy prior to the commission's inception, respectively.

Other works have mentioned the Kerner Commission in passing as well, weaving the report and its impact into larger political narratives. In *Law and Order: Street Crime, Civil Unrest, and the Crisis of Liberalism in the 1960s*, historian Michael Flamm couches the notion of "law and order" as an effective, malleable political tactic that harped on the relationship between race and security. In addition to signifying a split among prominent liberals, Flamm notes that the Kerner report and its reception also spoke to the dire situation in American cities and how that situation emboldened a burgeoning conservative movement built on law and order. Lindsey Lupo's *Flak Catchers: One Hundred Years of Riots Commission Politics in America* argues that riot commissions in

the twentieth century frequently made bold, unfulfilled promises in the interest of projecting power; she examines the Kerner Commission briefly using this framework. In *Urban Rebellion: The Long, Hot Summer of 1967*, historian Malcolm McLaughlin characterizes the riots as conscious, radical, political acts, and mentions the Kerner Commission as an example of how the Johnson Administration misinterpreted the riots and their meaning.

My dissertation places the life of the commission—from its inception in the days following the Detroit riots to the aftermath the following spring—at the center of the narrative. This is not a dissertation on the details of the Kerner Commission’s final report as much as it is one that tries to chronicle how eleven officials and scores of highly qualified staffers spent seven manic months arriving at such a report. It considers the causes, effects, and the report itself, of course, but not at the expense of a month-by-month account, which no historian has written to this point. In chronicling the day-to-day work of the commission through its correspondence, minutes of meetings, newspaper clippings on its daily affairs, and other materials, I seek to show how the commission arrived at the conclusions it did while also tracking how the White House sought to undermine those conclusions at seemingly every juncture. The commission endured internal disagreements—between commissioners, between commissioners and staff, and between staff—worried about funding, amended its timetable on multiple occasions, and constantly had to stave off accusations it was merely a mouthpiece for the Johnson Administration. Its detractors wanted to undermine it for different reasons, and several circumstances beyond its control dulled its influence and message. This project examines the primary actors—both behind the podiums and behind the scenes—and seeks to

explain why they arrived at the conclusions they did, how those who resisted along the way did so, why such conclusions fell on deaf ears, and how the report failed to accomplish its stated objectives.

Beyond a president who took the commission's recommendations as a personal insult, those on the commission's payroll had to account for other portions of the political calculus; even if Johnson had endorsed the report's findings, a conservative Congress wished to cut spending rather than increase it. This opposition lay partially in partisan disagreement on how much the federal government needed to spend on comprehensive social programs and partially in the costs of the Vietnam War, an exhaustive, by now unpopular conflict that hoovered funds relentlessly and was rarely far from the center of any conversation on American spending. Commissioners knew that the president and Congress would not welcome every single one of their recommendations; they knew that the dialogue they sought to encourage on racial attitudes was, in some respects, as important as the funds they wished to set aside.

Despite the fact that the commission's report was clearly intended for white Americans, there was also the issue of whether this was the report on rioting and inner-city life that many white Americans wanted to read. Conservatives bristled at what they called the report's notion that "we in the suburbs should be forced to take the Negro into our communities so that he can make shambles of our suburbs just as he has the central city."¹³ Columnist James Kilpatrick noted that "when one inquires why the city is burning, it ought not to be amiss to direct a few questions at the man with the torch in his hand," while a *Birmingham News* editorial described rioters as "subversives committed to

¹³ Anonymous to Wallace and Kerner, March 5, 1968, "A," Box 14, Series 28, NACCD, RG 282, LBJ Library, Austin, TX.

the violent destruction of American society.”¹⁴ Many elected officials also criticized the commission’s findings, touting respect for law and order, decrying increased government spending, and defending what they believed to be their fundamental rights as suburbanites. If Johnson believed the Kerner report to be an indictment of his own agenda of Great Society legislation and programs, many conservatives believed the riots themselves were the real indictment, proof that big-government and liberal spending had failed. A separate investigation, conducted by the Senate Permanent Subcommittee on Investigations, was the type of exercise many moderate and right-leaning citizens welcomed. Chaired by Arkansas Senator John McClellan, a veteran conservative, staunch segregationist, and anti-communist, the subcommittee sought to criminalize rioters and tie them to communist or other radical influences that did not speak for the majority. McClellan’s group searched for evidence of conspiracy, of “outside agitators” planning riots in advance; these were classic tactics used against the civil rights movement for years, but they remained compelling arguments to many Americans, which arguably proved the commission’s point that race in America remained an unsolved problem. Much of white America showed more interest in punishing those presumed responsible for riots than in examining the conditions that created those riots.

Ultimately, two events that had nothing to do with Vietnam, nor the budget, nor a manipulative Johnson Administration, helped bump the Kerner Commission from the spotlight. First: President Johnson announced to the nation on March 31, 1968, that he would not seek re-election. Given Johnson’s animosity toward the final report, this might

¹⁴ James J. Kilpatrick, “A Conservative View: Riot Report a ‘Whitewash,’” *Birmingham News*, Mar. 8, 1968, 11, “3/15/68-3/21/68,” Box 388, FG 690, NACCD, White House Central Files, LBJ Library, Austin, TX; “False ‘Leaders,’” *Birmingham News*, November 20, 1967, “Office of Congressional Relations-Clippings,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

have seemed a godsend, but it ensured that the focus would be on the presidential election and that the commission and its recommendations would be just as much of a “lame duck” as Johnson himself. Johnson resented the report, but he did not ignore it entirely, nor did he disagree with some of its fundamental observations. When he announced he would not accept the Democratic nomination, it weakened the rebranding effort of existing programs and undermined future programs and liberals’ ability to mobilize behind the Kerner report. While Johnson had not embraced the report, it did not mean aides or fellow Democrats could not try to persuade him going forward, or that perhaps his mood would not change if he won another term in office. If the commission had any hope of salvaging momentum in the spring of 1968, that hope had now dissipated. The Kerner Commission’s report was not the “final straw” that dissuaded Johnson from continuing his political career, but it was certainly one setback of many that accumulated. Amid blistering criticism for leading America haplessly into Vietnam, Johnson could always fall back on the domestic accomplishments that were his Administration’s crowning achievements; the Kerner Commission did not belittle these achievements, but it did argue that viewing them as a final chapter in the civil rights struggle was a mistake. “They always print that we don’t do enough. They don’t print what we do,” Johnson said gruffly in a March 1968 meeting.¹⁵ If Johnson believed he could always return to the domestic programs for support even while censured for Vietnam, the Kerner report and its positive reception from many Democrats and liberal Republicans indicated that many lawmakers believed his domestic agenda was no longer ambitious enough after four-and-half years in office.

¹⁵ Max Frankel, “President Calls Report on Riots Worthy of Study,” *The New York Times*, Mar. 7, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

A second unforeseen complication was the assassination of Martin Luther King Jr. in Memphis, Tennessee, on April 4, 1968. This tragedy brought rioting and ushered in a total reset on the issue of race in America. When the face of a triumphant civil rights movement was murdered, it shifted the conversation. Nobody wanted to discuss how to prevent rioting in the summer of 1968, or the finer points of funding recommendations, or re-read a description of America's racial problems that was suddenly both chillingly relevant and also out of date. In a span of five days, the Democratic Party had lost its standard-bearer and the civil rights movement had lost its brightest light forever. If lukewarm support from the Johnson Administration and questions about funding in the current political climate at home and abroad put the Kerner report on tenuous ground, March 31 and April 4 sank it, or at least damaged it irreparably. Two months later, Robert F. Kennedy was assassinated in Los Angeles, as another long, hot summer began anew. The Kerner Commission's missed opportunity was, to an extent, a victim of historical circumstance, but it was a missed opportunity nonetheless.

The Kerner Commission's twin calls for massive spending increases in American cities and earnestly confronting white racial attitudes constituted an unprecedented moment in post-World War II American history. It both offered recommendations that required billions of dollars and recommendations that would cost nothing. It reflected the true civil rights movement—an unglamorous, protracted, incomplete struggle that rejected resting on laurels and demanded that the nation address shortcomings with additional resources and changed attitudes. If the opportunity for a massive increase in domestic programs dwindled due to an Administration determined to save face, a cost-cutting Congress, and an American public with markedly conflicted views on who to

blame for riots, the opportunity to address white racism, and police brutality, and how the ghettos formed to begin with, vanished because of two monumental events—Johnson’s announcement and King’s death—in a span of five days.

While the report was far too comprehensive and written, researched, and released in a political climate far too fraught and complex to attribute its failures to a single factor, it is fair to say that the Kerner Commission’s final product failed, in large part, because white America did not want it to succeed. In the most fruitful civil rights era in American history, blaming white racism was simply a bridge too far. The commission wanted white America’s money, blamed their attitudes, and absolved rioters themselves of the bulk of the blame. The majority of conservative and moderate white Americans rejected this approach, Congress included, as did the very same Johnson Administration that had commissioned the task force in the first place. Beyond its subversive decision to listen to the grievances of many black Americans and the historical events that blunted its immediate and lasting impact, the report’s twin prescriptions for increased spending and improved attitudes had little chance for success when so much of white American found those prescriptions problematic.

There is no guarantee, of course, that ramping up programs or extending dialogue would have curbed riots or racial tension in the unstable political climate of 1968, but when the Kerner Commission’s well-researched, eloquent message fell flat, America never had the chance to find out. The commission aimed its tangible programs at helping black America and its cultural observations at convincing white America. Even after the former seemed implausible, hope persisted that America could have a fruitful dialogue on how and why white Americans were complicit in the origins and travails of poor black

neighborhoods. On both scores, it failed. The Kerner Commission was never going to be a catch-all solution to all of America's postwar problems, but it is fair to wonder, had the report and its message had more time as a lead story, if it could have perhaps changed the conversation and reduced the chances of history repeating itself in Ferguson and Baltimore fifty years later. Instead, another presidential commission took its place—led by White House adviser Milton Eisenhower and focused on violence—and the Democrats lost the presidential election. Richard Nixon rode a wave of law-and-order, “silent majority” rhetoric to the White House, running fear-mongering commercials of riot footage along the way. In the aftermath of the report's release, the events of 1968 had galvanized the very people that the Kerner Commission had blamed for the riots. Liberals would be removed from the Oval Office for most of the next quarter-century; in the short-term, the fundamental questions about America that the commission sought to answer had disappeared. In the blink of an eye, its chance had come and gone.

July 1967

On a muggy summer evening in Newark, New Jersey's Central Ward, African American cab driver John Smith was arrested for tailgating a police cruiser, dragged into police headquarters, and beaten so severely that he had to be rushed to a hospital. The officers questioned about the incident claimed that Smith "began using profane language and struck both officers," at which point they placed him under arrest.¹ Smith's account of that night—July 12—differed; the trumpet-playing native southerner recalled he had "snapped [his] turn signal on and then went around" the double-parked police car, "like I've done many other times."² This prompted the officers to pull him over, at which point, Smith claimed, they "shoved me into the back seat of the police car where the officer first hit me with his fists, and then with a billy club, finally striking me in the groin which temporarily paralyzed me."³ Fellow cab drivers and residents from the Hayes Homes housing project across the street saw Smith being dragged out of a vehicle and into the Fourth Precinct station. Rumors of police brutality spread quickly. Smith said the officers "dragged me out of the car, and beat me again and again...and then they took me inside and I was really worked over. I was kicked and beaten and struck with pistols."⁴ A civil rights leader permitted to visit Smith in his cell found him bruised and in need of medical treatment; he was hospitalized and diagnosed with a fractured skull and bleeding in his brain.⁵

¹ Sean Patrick Dockray, "Containment: The Architecture of the 1967 Newark Riots," (1999), 4.

² *Ibid.*, 6.

³ *Ibid.*, 7.

⁴ *Ibid.*

⁵ Kimberly Siegal, "Silent No Longer: Voices of the 1967 Newark Race Riots," (Undergraduate Thesis, University of Pennsylvania, 2006), 26; The police report claimed that Smith "had to be carried into the police station when he refused to walk, and then declined to give his name." *Newark-Evening News* account.

In Newark, a community described in *Newsweek* as “a gothic tangle of factories and slumping stores and molding tenements” and mired by poverty, crime, unemployment, and inadequate housing and medical care, the relationship between law enforcement and African Americans was one of tension and mutual distrust.⁶ Robert Curvin of the Congress on Racial Equality declared that Newark police were “conducting a war against the black community.”⁷ As in the case of many American cities, white flight to Newark’s affluent suburban rings had rendered its city center a desolate place, barely resembling the enclaves of quiet privilege that lay ten miles away. Plans to build a new medical facility were tempered by the fact that the facility would displace thousands of residents. Summer programs designed to keep teenagers employed and off the street had “snarled,” leaving thousands with idle time and no way out of the turmoil.⁸

When word broke that Smith might be dead, citizens and local civil rights leaders headed to the station and demanded accountability from the police, chanting and throwing rocks and Molotov cocktails in frustration. Deeming the police response to the outcry as insufficient, angry citizens, many of them teenagers, began looting and rioting on a mile-long stretch of Springfield Avenue in Newark’s primary commercial district. Looters, according to an article in *Time*, smashed windows and vandalized liquor stores, stripped clothes off mannequins, and left the street in a “fine, crunch layer of window glass” while sparing many businesses that “contained signs indicating they were Negro-

⁶ Model Cities reports from 1966 on Newark found it had the highest rates of tuberculosis, venereal disease, maternal mortality, and infant mortality in the nation—Siegal, “Silent No Longer,” (Undergrad Thesis, UPenn, 2006), 72-73. *Newsweek* stated that Newark “has the worst of everything in America,” including “an unemployment rate so stubbornly high that it is one of only five U.S. cities that qualify for special economic aid.” “Newark Boils Over,” *Newsweek*, July 24, 1967, “General,” Box 2, Series 25, Records of the National Advisory Commission on Civil Disorders, Record Group 282, Lyndon B. Johnson Presidential Library, Austin, Texas.

⁷ Siegal, “Silent No Longer,” (Undergrad Thesis, UPenn, 2006), 26.

⁸ “Newark Boils Over,” *Newsweek*, July 24, 1967, “General,” Box 2, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

owned.”⁹ Gunshots and fires erupted across the city as well. Efforts by local leaders to prevent rioting in favor of peaceful protests against police brutality, which included 300 people marching across the street peacefully, chanting “beat heads, not drums!” the night after Smith’s arrest, proved futile amid the escalating tension.¹⁰

As it became apparent that the looting was not going to dissipate the following night, police donned riot gear and were given permission to “use any action to stop the looters and to protect yourselves.”¹¹ In the early hours of Friday morning, Newark Mayor Hugh Addonizio telephoned New Jersey Governor Richard Hughes and requested assistance from the National Guard and state police. Addonizio, a liberal Democrat and veteran of the U.S. House of Representatives who championed urban renewal programs, declared that the city had deteriorated from a serious disturbance into a riot. Hughes clumsily described Newark as “a city in open rebellion” where “the line between the jungle and the law might as well be drawn here as any place in America.”¹² In a matter of minutes, 3,500 guardsmen and 600 state police had entered Newark; for five days, Newark was an urban battleground, the product of decades of ghetto frustration with police and underrepresentation within the local power structure that finally boiled over into unchecked violence.

In the chaos, hundreds of confused, unprepared, trigger-happy police and National Guardsmen fired at alleged snipers and struggled to quell the rioting and looting in a campaign plagued by insufficient riot training and poor radio communication. An NBC

⁹ “Sparks and Tinder—The Nation,” *Time*, July 21, 1967, “Causes,” Box 2, Series 46, NACCD, RG 282, LBJ Library, Austin, TX; *Report of the National Advisory Commission on Civil Disorders* (Washington: U.S. Government Printing Office, March 1, 1968), 38. According to multiple reports, spared businesses contained signs that said “Soul Brother” to indicate African American ownership.

¹⁰ “Sparks and Tinder,” *Time*, July 21, 1967, “Causes,” Box 2, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹ *Ibid.*

¹² *Ibid.*

News report broadcast during the riots told a different story, one where a valiant Gov. Hughes led “the fight against lawlessness” and the “numbers and weapons” of National Guardsmen had “done much to end the disorder.”¹³ Many of the riot’s victims died accidentally, the result of police firing aimlessly toward buildings, rooftops, and alleys while hoping to hit snipers whose mere existence was often in doubt. Among the most publicized riot deaths was Eloise Spellman, a mother of eleven children who was killed by a stray bullet in the hallway of her public housing high-rise. Authorities had to hang a white sheet from the building to deter shooting long enough for her ambulance to arrive. Others were gunned down, according to police, after they refused orders to cease looting. A freelance photographer on the scene reported that a black teenager was shot and killed for stealing a six-pack of beer; when an officer was questioned about the incident, he said, “the guy’s better off dead.”¹⁴ Authorities were “helpless to stop the looting” and “merely sought to contain it.”¹⁵

In Washington, President Lyndon Johnson’s staff monitored the situation in Newark. On the morning of July 15, Johnson’s special assistant, Joseph Califano, sent a memo to the president indicating he had spoken to a member of Hughes’s staff about “trying to get Negroes to go into the riot area...and begin negotiations with the dissident elements” while noting that “the situation is still very bad and there are still many snipers in the riot area.”¹⁶ Hughes and Addonizio reportedly disagreed on the course of action for

¹³ *The Huntley-Brinkley Report* Transcript, “Newark Riots,” NBC News, July 14, 1967, “Riot Documentary and Scripts,” Box 3, Series 40, NACCD, RG 282, LBJ Library, Austin, TX; *Huntley-Brinkley Report*, NBC News, “Disorder, et. al,” July 17, 1967, “Huntley-Brinkley Tapes 15-24,” Box 2, Series 40, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴ Siegal, “Silent No Longer,” (Undergrad Thesis, UPenn, 2006), 61.

¹⁵ “Newark Boils Over,” *Newsweek*, July 24, 1967, “General,” Box 2, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁶ Joseph Califano to Lyndon B. Johnson, July 15, 1967, “Commission on Civil Disorders-1,” Box 11, Office Files of Joseph A. Califano Jr., LBJ Library, Austin, TX.

negotiating, and the governor wanted to ask about “federal program assistance” in Newark.¹⁷ Califano wrote to Johnson that “this is probably going to be a very difficult situation” and that assistance risked the appearance of “rewarding rioters.”¹⁸ He also recommended the administration “begin to find out what programs we have in Newark and what we could do” while telling Johnson he “assume[d] you want to keep the White House out of this.”¹⁹ The coming weeks would render that request impossible.

By the time National Guard troops and state police departed the city on July 17, twenty-six people were dead and Newark had suffered tens of millions of dollars in property damage. Garbage “rotted in piles on the sidewalks,” and closed businesses meant a food shortage in the city, forcing cops to hand out food to the hungry.²⁰ Even in the wake of the destruction and “five days of rock-throwing, bombing, and rooftop sniping,” anger among African Americans burned white-hot; after police busted open grocery bags carried by two African American men on suspicion of looting, one of the men lamented that he had “been back from Vietnam for 2 days, and this is what I get. I feel like going home and getting a rifle and shooting the cops.”²¹ Governor Hughes declared on July 18 that “the restoration of order” was “accomplished,” but such order came at a devastating price.²²

The basic details of the Newark riots were not unique; in the summer of 1967 and the two summers prior, accusations of police brutality and unlawful arrests yielded smaller riots and skirmishes across inner-city America. These conflicts brought white law

¹⁷ Califano to Johnson, July 15, 1967, “Commission on Civil Disorder-1,” Box 11, Office Files of Joseph A. Califano Jr., LBJ Library, Austin, TX.

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ *Huntley-Brinkley* Report, NBC News, “Disorder, et. al,” July 17, 1967, “Huntley-Brinkley Tapes 15-24,” Box 2, Series 40, NACCD, RG 282, LBJ Library, Austin, TX.

²¹ *Ibid.*; *Report of NACCD*, 38.

²² Siegal, “Silent No Longer,” (Undergrad Thesis, UPenn, 2006), 193.

enforcement into impoverished black neighborhoods in the swelter of June, July, and August, when squalid living conditions were most unbearable and resentment of these conditions most palpable. With the exception of the 1965 riot in the Watts District of Los Angeles, however, most of these incidents occurred on a smaller scale, with fewer lives lost and fewer buildings in ruins. Newark was a larger version of a pattern of death and destruction that reached all regions of America; now it was time for the federal government to take action rather than simply taking note.

Reaction from Washington came swiftly. Secretary of Housing and Urban Development Robert Weaver observed that the riots “underscore the immediacy of the problem of our cities...they are the inevitable consequences of scores of decades of neglect, discrimination, and deprivation.”²³ Attorney General Ramsey Clark claimed Newark was “another reason for restriction on the sale of firearms” given that “a large number of persons engaged in this murderous rioting in Newark were in possession of firearms that they obviously could not have obtained in New Jersey.”²⁴ Whitney Young of the Urban League told a congressional committee there “might easily be more riots like Newark’s” and that “the remedy was to eliminate poverty with government money, more than one hundred billion dollars over the next ten years.”²⁵ A meeting of civic leaders at Rutgers University concluded the riots were caused by “an absence of Negroes in the city power structure, police representing a lawless element, and indescribably bad housing.”²⁶

²³ *Huntley-Brinkley* Report, NBC News, “Disorder, et. al,” July 17, 1967, “Huntley-Brinkley Tapes 15-24,” Box 2, Series 40, NACCD, RG 282, LBJ Library, Austin, TX.

²⁴ *Huntley-Brinkley* Report, NBC News, “Race Riots,” July 18, 1967, “Huntley-Brinkley Tapes 15-24,” Box 2, Series 40, NACCD, RG 282, LBJ Library, Austin, TX.

²⁵ *Ibid.*

²⁶ *Ibid.*

Speakers at the National Association for the Advancement of Colored People (NAACP) convention in Boston also reacted to Newark's riots. Longtime NAACP Executive Director Roy Wilkins blasted the authors of an anti-riot bill aimed at black militants that had surfaced in Congress just two days before John Smith's arrest. Wilkins called out the lawmakers who engaged in "wordy parliamentary debates in considering, trimming, altering, or rejecting a civil rights bill" while "hav[ing] no trouble lining out punishment for alleged rioting."²⁷ These politicians, Wilkins claimed, were "creating an atmosphere in which an outbreak of violence can occur," one where civil rights measures were ignored but rioting punished.²⁸ Speaking at the same convention, Massachusetts Senator Edward Brooke stated that "Black Power is a response to white irresponsibility...if Congress, out of fear or anger, continues to choose the path of inaction, the lightning of violence will strike again and again."²⁹

On the floor of the U.S. Senate, West Virginia Democrat Robert Byrd advanced a conservative line of thinking that displayed little sympathy for those affected by riots. "We hear the usual excuses for the riots...the ghettos are blamed, yet people of all races have lived in ghettos in the past, and not rioted," Byrd said.³⁰ He compared the behavior of poor whites to poor African Americans, claiming that if "living in poverty reposes in one a duty or a right to riot, then Abraham Lincoln would have been the Stokely Carmichael of his day."³¹ Byrd recalled his own childhood experiences in a coal-mining town during the Great Depression, a town where citizens "took pride in their

²⁷ "Sparks and Tinder," *Time*, July 21, 1967, "Causes," Box 2, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

²⁸ *Ibid.*

²⁹ *Ibid.*

³⁰ "Poverty: Phony Excuse For Riots? 'Yes,' Says Key Senator," *U.S. News & World Report*, July 31, 1967, 14, "B," Box 7, Series 28, NACCD, RG 282, LBJ Library, Austin, TX. Byrd's original speech in the Senate came on July 17, and is excerpted in the article.

³¹ *Ibid.*

surroundings” and kept neighborhoods clean and safe.³² Immigrants had come to America and “didn’t react with violence, even though they lived in ghettos.”³³ Instead, Byrd said, they had worked hard; “if people are dirty and irresponsible in their way of living, and have no desire to put forth the effort to improve their surroundings, then we will have slums with slovenly people living in them,” he said.³⁴ In conclusion, Byrd told the president that if the urban poor “obey the laws, the laws will protect them,” but that a “Government of laws cannot tolerate disrespect for, and violation of, its laws... We cannot stand idly by and tolerate the shameful rape of democracy in our republic... those who choose to step outside the law must be punished.”³⁵ Byrd’s rhetoric, which was hardly new among conservatives in 1967, demonstrated a fundamental misunderstanding of the plight of African Americans throughout the course of the nation’s history while relying on racist tropes. Yet as the coming weeks and months would reveal, many white moderates and conservatives agreed with him, seeking to remove the racial undertones from the riots while focusing on the importance of obeying the law.

Back in Newark, the National Conference on Black Power proceeded as scheduled with an empowering message just three days after parts of the city lay in ruins. The riots illuminated many of the issues at the heart of a Black Power movement that called for African Americans to play a dominant role in cultivating black institutions and articulating black interests rather than relying on interracial, moderate approaches. One attendee said the conference sought to foster an “introspective, ongoing” dialogue among

³² *Ibid.*

³³ *Ibid.*

³⁴ “Poverty: Phony Excuse For Riots? ‘Yes,’ Says Key Senator,” *U.S. News & World Report*, July 31, 1967, 14, “B,” Box 7, Series 28, NACCD, RG 282, LBJ Library, Austin, TX.

³⁵ *Ibid.*

blacks and had “nothing to say” to white people.³⁶ Responding to Mayor Addonizio’s criticism of local black leadership, CORE officials said that African Americans were not monolithic “sheep” led by one person or group.³⁷ Only through the central belief of black self-determination in political, economic, and social organizations could ghetto residents free themselves from harsh conditions and gain access to the post–World War II prosperity in America that had eluded them for so long. One Newark man interviewed for the Huntley–Brinkley News Report distilled the plight of poor African Americans in the inner city:

In the country of America, they don’t want the black man to have nothing. If he’s black, he’s just wrong from the ghetto when he’s born...And this bugs you...And it makes your blood boil...So you get to a point where you don’t give a damn if you live or die...Right now I would tear this damn city down, right now...They still haven’t learned yet. The 24 people they killed, maybe they better off, they don’t have to go through poverty no more...some of them died like some of us died. And if they still don’t get the point there are going to be some of us dead and there are going to be some more of them dead.

White guys come out in the taverns around here, they come falling out all over the street, nobody touches them. But we, the Negro man, we are the only people in the world that has to protect ourselves against our own protection. The area here, I resent living in this area for the single reason you got dilapidated buildings here, you got garbage trucks sitting around with garbage on them, and the area smells, and sewers the sewers they’re not working properly. You’ve got rats, roaches and water running into basements. Yes, I would like to move out of the area. But where am I going? Who’s going to sell me a place? If I buy a place in some other area, before the night is over they’re going to stone the windows. So where am I going?³⁸

For a presidential administration that had prided itself on the Great Society, an unprecedented agenda of federal legislation and domestic programs committed to social

³⁶ William Booth to Commissioners, “Brief Report of July 20–July 23 National Conference on Black Power,” September 6, 1967, “Memoranda and Letters for Jay Kriegel,” Box 2, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

³⁷ “Races–Spreading Fire,” *Time*, July 28, 1967, “Articles (Magazines, Radio, TV, etc.),” Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

³⁸ *Huntley–Brinkley Report*, “Tape 16,” NBC News, July 21, 1967, “Huntley–Brinkley Tapes 15–24,” Box 2, Series 40, NACCD, RG 282, LBJ Library, Austin, TX.

welfare, this tragic explanation out of Newark served as a reminder that the civil rights movement was a complex, ongoing event without a concrete endpoint. President Johnson had signed the Civil Rights Act of 1964, a comprehensive act that banned segregation in public accommodations and outlawed discrimination based on race, ethnicity, gender, and national or religious origin; the act was widely considered among the most important pieces of civil rights legislation in American history. He had signed the Economic Opportunity Act of 1964, a Great Society centerpiece committing billions of dollars to the War on Poverty that sought for the poor both federal relief and a say in how that relief was appropriated. He had signed the Voting Rights Act of 1965, an act that abolished voting discrimination in federal, state, and local elections with an eye on African American enfranchisement in the South. He had overseen the creation of Medicare, Medicaid, the first Food Stamp program, the National Endowment for the Arts, and a host of other domestic programs aimed at remedying inner-city ills.³⁹ Yet a riot outbreak for a third consecutive summer indicated the need for more action from the White House. A second major disturbance the following week would prompt Johnson to address the nation.

Five days after the Newark riots subsided, Detroit police raided five “blind pigs”—illegal underground clubs where patrons drank and gambled—in the middle of the night. Eighty-two in attendance at the blind pigs were arrested and taken away; within hours, reports of police brutality tied to the arrests had spread. The raid had come in an African American neighborhood in a city with a longstanding tradition of racial tension

³⁹ Portions of this paragraph are taken from the author’s chapter on the 1960s from *The American Yawp*, an online collaborative textbook project that the author co-edited. Samuel Abramson et al., “The Sixties,” Samuel Abramson, ed., in *The American Yawp*, Joseph Locke and Ben Wright, eds., last modified August 1, 2016, <http://www.AmericanYawp.com>.

and riots; several of the blind pigs were on 12th Street, a district that had “deteriorated from a prosperous commercial thoroughfare to one ridden by vice.”⁴⁰ Many of the issues facing the impoverished, mostly African American section of Detroit in question mirrored the issues in Newark’s Central Ward. According to a 1966 survey, 93 percent of neighborhood residents wished to move out, 73 percent felt the streets were unsafe, and 91 percent believed crime at night was probable.⁴¹ As was the case in Newark, white migration to the suburbs had dire, isolating consequences for inner-city Detroit, and the rioting was, in part, a reaction to those consequences. Schools, health care, and housing were all substandard. In the early hours of Sunday, July 23, crowds began smashing windows and looting businesses along 12th Street. Attempts to appease the angry crowds were unsuccessful in the daylight, and more rumors of police brutality spread. Fearing the worst, Mayor Jerome Cavanagh called for National Guard troops on Sunday afternoon to reinforce an overextended, overmatched local police force.

By Sunday evening, Detroit burned. Molotov cocktails flew and fires engulfed parts of the city, destroying businesses and homes on the city’s West Side. Michigan Governor George Romney, who flew over the stricken area, later told officials it “looked like the city had been bombed on the West Side and there was an area two-and-a-half miles by three-and-a-half miles with major fires, with entire blocks in flames.”⁴² NBC News reports claimed “almost 100 city blocks have been destroyed” and that the “most often heard reaction from people who see this ruin is how much it resembles the bombed-

⁴⁰ *Report of NACCD*, 49.

⁴¹ *Ibid.*

⁴² *Ibid.*, 52.

out cities of World War II.”⁴³ Firefighters fearing for their safety had retreated and waited for additional state police and National Guard troops to arrive. Chrysler and General Motors suspended production, and the Canadian border was “closed to all except tourists and others who can prove they are heading toward their own homes.”⁴⁴ News accounts described neighborhoods overrun by “arsonists, looters, and vandals” for hours on end.⁴⁵

In the early hours of Monday morning, 800 state police and 1,200 National Guardsmen were on the ground in the city; rioters blamed their presence for inciting much of the violence. At that time, Romney and Cavanagh both agreed that federal assistance would be necessary; well after midnight (2:15 am), Cavanagh phoned the White House and spoke to Vice President Hubert Humphrey, who referred the mayor to U.S. Attorney General Ramsey Clark. Clark warned Gov. Romney of the ramifications of such a request and stated that “before Federal troops could be brought into the city, [Romney] would have to state the situation had deteriorated to the point that local and state forces could no longer maintain law and order.”⁴⁶ Romney balked, concerned that “insurance policies would not cover the loss incurred as a result of the riot.”⁴⁷ Requesting and deploying federal troops was a contentious issue that would remain in dispute between the White House and local officials long after the riots had ended.

With the situation unchanged the following morning, Romney and Cavanagh reiterated their request for federal troops due to the city’s “distressing, desolating

⁴³ *Huntley-Brinkley Report*, NBC News, “Reel. No. 17, Disorder,” July 24, 1967, “Huntley-Brinkley Tapes 15-24,” Box 2, Series 40, NACCD, RG 282, LBJ Library, Austin, TX; *Huntley-Brinkley Report*, NBC News, “Detroit Riots et. al,” July 25, 1967, “Huntley-Brinkley Tapes 15-24,” Box 2, Series 40, NACCD, RG 282, LBJ Library, Austin, TX.

⁴⁴ *Huntley-Brinkley Report*, NBC News, “Reel. No. 17, Disorder,” July 24, 1967, “Huntley-Brinkley Tapes 15-24,” Box 2, Series 40, NACCD, RG 282, LBJ Library, Austin, TX.

⁴⁵ *Ibid.*

⁴⁶ *Report of NACCD*, 53-54.

⁴⁷ *Ibid.*

condition” that had “built on an accumulated basis” and “doesn’t have anything to do with civil rights.”⁴⁸ President Johnson instructed Secretary of Defense Robert McNamara to put 5,000 paratroopers on standby at nearby Selfridge Air Force Base and sent a telegram to Romney informing him that they would arrive on Monday afternoon.⁴⁹ Meanwhile, McNamara’s special assistant, Cyrus Vance, and several other administration officials flew over the area on Monday afternoon for an assessment; when they did not see widespread looting or sniping, they reported back to the White House to hold off on deploying federal troops, deeming it as unnecessary. But when the riots picked up again later in the evening, President Johnson, the man whose administration had taken more steps to assist the urban poor than any in American history, finalized the order to deploy paratroopers into the Detroit slums. It was the first time in five years that federal troops were sent to deal with a civil rights disturbance. Privately, Mayor Cavanagh praised Johnson for displaying “moral and political courage” in deploying federal troops to Detroit, adding, “one hopeful result of this most devastating situation might be an awakening on the part of the country to do far, far more both publicly and privately for the distressed people of our nation’s cities.”⁵⁰

As with Newark, and Watts before it, dropping inexperienced local police and National Guardsmen into volatile urban Detroit bore tragic results. Many officers and guardsmen were woefully unprepared and coped with the fatigue that came with 30-hour shifts; they were provided “on-the-spot instruction on mob control” but discovered that

⁴⁸ *Huntley-Brinkley Report*, NBC News, “Detroit Riots et. al,” July 25, 1967, “Huntley-Brinkley Tapes 15-24,” Box 2, Series 40, NACCD, RG 282, LBJ Library, Austin, TX.

⁴⁹ Remarks of President Lyndon B. Johnson to the Nation, “The Theater,” July 24, 1967, “Califano: Detroit Chronology, July 23-31 (2),” Box 58, Papers of Califano, LBJ Library, Austin, TX.

⁵⁰ Jerome Cavanagh to Lyndon B. Johnson, July 25, 1967, “Califano: Detroit Chronology, July 23-31 (2),” Box 58, Papers of Califano, LBJ Library, Austin, TX.

“there were no mobs...on the darkened streets” where street lights had been shot out.⁵¹ Instead, confusion reigned, as officers and guardsmen responded haphazardly to calls of alleged sniper fire. In an effort to avoid detection by the alleged snipers, officers taped over their metal badges and fired without clearance—into buildings and toward fleeing looters and the sound of bullets, often making “little attempt to determine whether their shots had hit anyone.”⁵² Gunshot victims emerged from the carnage, prompting speculation of phantom snipers and, perhaps, a host of stray-bullet shootings that were the product of a climate of fear and uncertainty. When Army troops arrived, they had “strict orders not to fire unless they could see the specific person at whom they were aiming,” but state and local officials had fired so many rounds to that point that the situation was beyond reproach.⁵³ As in Newark, relief agencies handed out food when groceries “ran out of bread and milk because deliveries were too afraid to go in the area.”⁵⁴ The Kerner Commission’s forthcoming report concluded that “action by police officers accounted for 20 and, very likely, 21 of the deaths; action by the National Guard for seven and, very likely, nine;” while “action by the Army” only resulted in one death.⁵⁵

When the carnage finally ended on July 27, the Detroit riot was one of the bloodiest in American history; 43 people were dead, 7,200 arrested, 200 blocks destroyed, and \$22 million incurred in riot damages. Romney sent a telegram to the

⁵¹ *Report of NACCD*, 53-55.

⁵² *Ibid.*, 59. The report also stated that officers at the station attempted to extract confessions from those arrested. In many instances prisoners were “brought in uninjured, but then had to be taken to the hospital,” prompting accusations of police brutality. No one was ever charged in the alleged sniping instances in Detroit.

⁵³ *Ibid.*, 56.

⁵⁴ *Huntley-Brinkley Report*, NBC News, “Detroit Riots et. al,” July 25, 1967, “Huntley-Brinkley Tapes 15-24,” Box 2, Series 40, NACCD, RG 282, LBJ Library, Austin, TX.

⁵⁵ *Report of NACCD*, 59-60. Over the course of five days in Detroit, 27000 Army paratroopers only fired 201 rounds of ammunition, in contrast to the staggering 13,326 rounds of ammunition fired by New Jersey National Guardsmen and state police in Newark in just three days. *Ibid.*, 56.

White House asking Johnson to declare Detroit a disaster area, but the president declined, instead sending food, drugs, and hospital equipment.⁵⁶ NBC reported officials were reluctant to “pay for the damage every time a city has a race riot,” and that the issue “remains unsettled and the political chilliness between the President and Governor Romney continues.”⁵⁷ With Romney mulling a presidential campaign in 1968, political tension with President Johnson was inevitable. Implicit in Johnson’s decision to stall on the request for federal troops was the notion that Romney was an ineffective leader who was incapable of controlling his state in a time of crisis. For the second time in less than two weeks, an American city resembled a war zone.

The unrest had compelled President Johnson to make his first public address to the nation on the issue on July 24, as rioting in Detroit continued. “The fact of the matter...is that law and order have broken down in Detroit, Michigan,” Johnson said.⁵⁸ He criticized the “pillage, looting, murder, and arson” as having “nothing to do with civil rights” and stated that the nation “would not tolerate lawlessness.”⁵⁹ Johnson called for a nationwide effort to “maintain law and order” and “firmly show that by word and by deed that riots, looting, and public disorder will not be tolerated.”⁶⁰ His appeal to the rhetoric of law and order, the first of its kind during the tumultuous period, would have unintended consequences. While uttered with the idea of curbing violence and keeping

⁵⁶ *Huntley-Brinkley Report*, NBC News, “Disorder (general), et. al,” July 27, 1967, “Huntley-Brinkley Tapes 15-24,” Box 2, Series 40, NACCD, RG 282, LBJ Library, Austin, TX.

⁵⁷ *Ibid.*; *The New York Times* speculated that the frosty relationship between Johnson and Romney was perhaps related to the fact that they could be “potential rivals” for the presidency in 1968. Johnson had reportedly “not spoken to Governor Romney by telephone in this urban crisis” and was described as “irked” by the governor’s public request for federal troops “in the midst of negotiations with Federal authorities.” Max Frankel, “President Forms Panel to Assess Causes of Riots,” *The New York Times*, July 28, 1967.

⁵⁸ Remarks of President Lyndon B. Johnson to the Nation, “The Theater,” July 24, 1967, “Califano: Detroit Chronology, July 23-31 (2),” Box 58, Papers of Califano, LBJ Library, Austin, TX.

⁵⁹ *Ibid.*

⁶⁰ *Ibid.*

the peace in affected areas, the rhetoric also divorced the acts of rioting from the reasons that such acts occurred in the first place. Law and order meant keeping peace, but for many white Americans, it also essentialized the problems besetting the ghetto into controlling unruly black mobs without further critical examination. White Americans saw criminal behavior rather than the dire circumstances that spurred it; they saw justified police action rather than the checkered relationship between law enforcement and poor black communities across the country. To call for law and order was, contrary to the president's stated intent, to ignore the roots of rioting, to ignore the reasons for looting, and instead vilify participants to the point that the roots were obscured.

After two days of turmoil, Republicans in Washington linked the “national crisis” with the Johnson administration. Senate Minority Leader Everett Dirksen decried that the country was “rapidly approaching a state of anarchy and the president has totally failed to recognize the problem.”⁶¹ The grandstanding Illinois Republican, considered an ally of Johnson's on many issues, blamed the riots on “a few false leaders” having “betrayed” the “Negroes of America,” asking, “How many thousands wounded, maimed, or killed over the years before the president will support or approve legislation to restore order and protect the people of this country?”⁶² On the other side of the political aisle, Democrats responded that the riots were an American issue, not a political one. On July 25 Oklahoma Senator Fred Harris, Minnesota Senator Walter Mondale, and several others introduced a joint resolution on the Senate floor to “establish a special commission on civil strife, authorizing the commission established to investigate riots and civil strife in cities and urban centers of the United States, and to report and make

⁶¹ *Huntley-Brinkley Report*, NBC News, “Reel. No. 17, Disorder,” July 24, 1967, “Huntley-Brinkley Tapes 15-24,” Box 2, Series 40, NACCD, RG 282, LBJ Library, Austin, TX.

⁶² *Ibid.*

recommendations....for the prevention of such riots.”⁶³ Harris envisioned a presidential commission “similar to the Warren Commission” that had investigated the assassination of the late John F. Kennedy; it would consist of nine members from different branches of government and across racial and political lines and release a final report with recommendations on how to eradicate future riots. “I think we need to realize that this matter of civil strife, lawlessness, and violence has become a serious national domestic crisis, and that action is required immediately on several fronts to meet that national crisis,” Harris said, citing summer incidents in Wichita, San Francisco, Jackson, Houston, Chicago, Boston, Philadelphia, Tampa, Cincinnati, Atlanta, and Los Angeles, among other cities.⁶⁴ He dispatched a copy to the president and encouraged him to create the commission via executive order. “I had originated the idea of the Kerner Commission,” Harris recalled in his autobiography.⁶⁵

Other notable public figures weighed in on the crisis as Detroit burned. Martin Luther King Jr. supported the deployment of federal troops to the city but added that riots were “the language of the unheard” and that it was “an indifferent attitude of Congress toward anti-poverty legislation,” not the work of outside agitators, that had created the conditions for such tumult.⁶⁶ Senator Robert Kennedy pointed to issues with substandard

⁶³ Senator Fred Harris, speaking on July 25, 1967, 90th Congress, 1st Session, *Congressional Record*, “Congressional Record,” Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁴ *Ibid.* Among the other politicians calling for the establishment of a “blue ribbon commission” was New York Congressman Joseph Resnick, who suggested the “time has come to take a hard, sober, cool, intensely analytical look at the problem.” Congressman Joseph Resnick, Press Release on Kerner Commission, July 26, 1967, “6/15/68-7/26/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁶⁵ Fred R. Harris, *Potomac Fever*, (New York: W.W. Norton & Company: 1977), 106.

⁶⁶ “Dr. King Supports Troops in Detroit,” *The New York Times*, July 26, 1967, “SCLC,” Box 6, Series 24, NACCD, RG 282, LBJ Library, Austin, TX; *Huntley-Brinkley Report*, NBC News, “Tape 19, Detroit Violence, et. al,” July 26, 1967, “Huntley-Brinkley Tapes 15-24,” Box 2, Series 40, NACCD, RG 282, LBJ Library, Austin, TX.

housing, education, and a “broken-down welfare system” as catalysts for the rioting.⁶⁷ Congressman Adam Clayton Powell Jr. called the riots “a necessary phase of the black revolution” and “the greatest civil war since 1863,” while Michigan Congressman John Conyers described the rioters as “the black have-nots of this country, who have stored up more resentment than I or anyone else thought they could store up, and it’s coming out—it’s ugly, it’s vicious, it’s unfortunate.”⁶⁸ A joint statement issued by King, Wilkins, Whitney Young, and A. Philip Randolph from NAACP headquarters in New York said that it was “crystal clear that the primary victims of the riots are the Negro citizens,” and that while “the overwhelming majority of the Negro community joins us in opposition to violence in the streets,” respecting the law did not mean “we should submit tamely to joblessness, inadequate housing, poor schooling, insult, humiliation, and attack.”⁶⁹ The statement continued that “the disabilities imposed upon Negro citizens are a century old. They remain because the white citizenry in general supports these restrictions.”⁷⁰ With this statement, the NAACP towed the line of criticizing violence while reminding those in the power structure of the “hardships of ghetto dwellers” and shortcomings in the system that led citizens to resort to such violence.⁷¹

Before a Senate Subcommittee hearing organized by Harris seeking answers on the riots, Young continued to express the anger and frustration felt by many in the African American community of “being penalized and threatened and warned because of

⁶⁷ *Huntley-Brinkley Report*, NBC News, “Tape 19, Detroit Riots, et. al,” July 25, 1967, “Huntley-Brinkley Tapes 15-24,” Box 2, Series 40, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁸ *Huntley-Brinkley Report*, NBC News, “Tape 19, Detroit Violence, et. al,” July 26, 1967, “Huntley-Brinkley Tapes 15-24,” Box 2, Series 40, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁹ Joint Statement from Martin Luther King Jr., Whitney Young, A. Philip Randolph, Roy Wilkins at National Association for the Advancement of Colored People (NAACP) Headquarters, New York City, July 26, 1967, “10/25-10/31,” Box 1, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

⁷⁰ *Ibid.*

⁷¹ *Ibid.*

the actions of a few.”⁷² In a day that brought endless political squabbling over whether federal funds to the inner cities was a sufficient answer to inner-city problems, particularly in light of the unrest, Young spoke, in part, for some of those who had “been here 400 years giving up our blood, sweat, and tears to this country.”⁷³ He continued:

It’s not a joke anymore. It’s not optional. They’re talking about the stability of the American republic. And we could tear this country, we could tear this country apart and you know it. Nothing would be more monstrous, more irresponsible than having every white middle class official...saying, ‘no flinching, no reward for violence, no sir, we’ll show them, never explain, just starve them out.’ That’s so easy, and it’s so stupid.⁷⁴

Young’s words were a reminder that not every reaction to rioting involved platitudes or outright condemnation; some in the African American community felt the riots were an inevitable consequence of longstanding conditions, and that the dialogue would benefit from a candid discussion rather than the familiar, patriotic, law-and-order routine.

Not all political figures who reacted to the riots showed sympathy. Former President Dwight Eisenhower demanded the Federal Bureau of Investigation examine the riots. “We keep hearing in Washington that this will all leave a chasm between white and black so wide and so deep it may never be closed,” he said.⁷⁵ Eisenhower added that the “political realities now seem to say that it will be a long time before another politician runs for office promising civil rights progress” given the “evidence that Negroes no longer believe in them and white people are less willing to support them.”⁷⁶ The result, he

⁷² *Huntley-Brinkley Report*, NBC News, “Disorder (general), et. al,” July 27, 1967, “Huntley-Brinkley Tapes 15-24,” Box 2, Series 40, NACCD, RG 282, LBJ Library, Austin, TX.

⁷³ *Ibid.*

⁷⁴ *Ibid.*

⁷⁵ *Huntley-Brinkley Report*, NBC News, “Tape 19, Detroit Violence, et. al,” July 26, 1967, “Huntley-Brinkley Tapes 15-24,” Box 2, Series 40, NACCD, RG 282, LBJ Library, Austin, TX.

⁷⁶ *Ibid.*

concluded, would be “an increased separateness in society, not more integration but less.”⁷⁷

On the afternoon of July 27, Vice President Hubert Humphrey sent a memo to Johnson expressing his concern that “the character of the riots suggests widespread rejection of our social system and not simply dissatisfaction with conditions.”⁷⁸ Humphrey had met with high-ranking officials in Johnson’s Cabinet to discuss the crisis in the cities; present at the meetings were Attorney General Ramsey Clark, Secretary of Commerce Alexander Trowbridge, Secretary of Labor Willard Wirtz, Secretary of Housing, Education, and Welfare John Gardner, Secretary of Housing and Urban Development Robert Weaver, Director of the Office of Budget and Management Charles Schultze, and Special Assistant to the President Joseph Califano. Humphrey told the president that the Cabinet members believed “shockingly large numbers of Americans, including many liberals, are displaying extremely hostile racial attitudes...these trends must be stopped.”⁷⁹ The administration, he suggested, should remain levelheaded without downplaying the significance of the riots.

Cabinet members also expressed the need for a “televised appeal to the nation by the President to repair the deep wounds in our society.”⁸⁰ Only Johnson, they agreed, could make such an appeal. Doing so would convince “patriotic Americans to draw together in the crisis” and show the public that “strong national leadership is being exercised to eliminate the cause of the disorders.”⁸¹ The administration, wrote the vice

⁷⁷ *Ibid.*

⁷⁸ Hubert Humphrey to Lyndon B. Johnson, July 27, 1967, “Cities Task Force—Vice Pres.,” Box 20, Papers of Califano, LBJ Library, Austin, TX.

⁷⁹ *Ibid.*

⁸⁰ *Ibid.*

⁸¹ *Ibid.*

president, needed to take inventory of its domestic programs and rebrand them in “language which gives new and exciting visibility to [their] potential” in order to “gain fresh public support...to popularize and explain the Great Society programs.”⁸² Rather than proposing new programs, officials agreed the focus should be on the programs already in place and whether any could be reframed to “effectively show presidential leadership relevant to the crisis.”⁸³ This also entailed criticism of the Republicans who sought to block funding; Humphrey told Johnson that “where the minority in Congress is failing to exercise its responsibilities, that failure should be clearly identified.”⁸⁴ The vice president concluded by stating that the group would meet again and “act as an advisory body on new or pending legislation, and on possible Executive actions relating to the causes of dissatisfaction.”⁸⁵

Later that evening, President Johnson heeded his Cabinet’s call to address the nation. Speaking from the Oval Office, Johnson announced his administration’s response to the riots: the formation of the National Advisory Committee on Civil Disorders. Fifteen minutes before his address, Johnson telephoned Harris. “Fred, I’m gonna appoint that commission you’ve been talking about,” the president told him, saying he hoped the senator was “gonna watch me on television...I’m gonna put you on the damn thing.”⁸⁶ After Harris assured the president that he would do his best when serving, according to Harris’s autobiography, Johnson reminded the young senator that he was a “Johnson man,” and to keep that allegiance in mind.⁸⁷ For a president renowned for violating his

⁸² Humphrey to Johnson, July 27, 1967, “Cities Task Force—Vice Pres.,” Box 20, Papers of Califano, LBJ Library, Austin, TX.

⁸³ *Ibid.*

⁸⁴ *Ibid.*

⁸⁵ *Ibid.*

⁸⁶ Harris, *Potomac Fever*, (New York: W.W. Norton & Company: 1977), 108.

⁸⁷ *Ibid.*

colleagues' personal space and conducting business meetings from the bathroom, referring to the significance of own political alliances in third person would have been enough; instead, Johnson decided to add one more threat for good measure. He told the senator he would "take out my pocketknife and cut your pecker off" if Harris forgot his role, adding, "You're from Oklahoma; you understand that kind of talk, don't you?"⁸⁸ A dumbfounded Harris said he did, and hung up. While serving as a reminder of President Johnson's frank, colorful nature, the exchange was also one of many examples disproving the notion that the Kerner Commission was not about politics; political alliances surrounded and were inseparable from the entire process.

After he had managed to shock one of his commissioners, Johnson got on with his address. He declared the commission's purpose was to "investigate the origins of the recent disorders in our cities" and make recommendations "for measures to prevent or contain such disasters in the future."⁸⁹ Among the members announced to serve on the commission were Illinois Governor Otto Kerner and New York Mayor John Lindsay; Senators Edward Brooke and Fred Harris; Congressmen James Corman and William McCulloch, a liberal Democrat and conservative Republican, respectively; Atlanta Police Chief Herbert Jenkins; NAACP Executive Director Roy Wilkins; Kentucky Commissioner of Commerce Katherine Graham Peden; United Steel Workers President I.W. Abel; and private businessman Charles "Tex" Thornton. Eight white males, one white female, and two African American males comprised the commission. After condemning the criminal behavior associated with the riots, President Johnson also announced new riot control standards for National Guard troops, a direct response to the

⁸⁸ *Ibid.*

⁸⁹ President Johnson's Address to Nation on Civil Disorders, July 27, 1967, "11/23/63-9/30/67," Box 386, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

fiascos that had unfolded in Newark and Detroit. Rather than settling for “order that is imposed by the muzzle of a gun,” Johnson said, the “only genuine, long-range solution for what has happened lies in an attack—mounted at every level—upon the conditions that breed despair and violence.”⁹⁰ The president called on the commission—and the nation as a whole—to “attack these conditions—not because we are frightened by conflict, but because we are fired by conscience.”⁹¹

Woven into the 18-minute address was a reminder to both the American people and Johnson’s political opponents that his administration had directed “the greatest Governmental effort in all of our American history” at fighting poverty, discrimination, disease, unemployment, and poor schooling. Speaking deliberately and forcefully in his Texas Hill Country drawl, the president listed by name some of the Great Society programs that already addressed issues related to the riots, ranging from the Civil Rights Act to the Voting Rights Act to Head Start and the Job Corps, as well as “many, many more acts too numerous to mention on television tonight.”⁹² He targeted those Republicans “who feel that we cannot afford a Model Cities program” and “feel that we cannot afford for the children of poverty...or new efforts to house those who are in most need of housing.”⁹³ In addition to calling for legislative action, Johnson sought to diffuse racial tension, praised the “law-abiding Negro citizens who hope most fervently—and need most urgently—to share in America’s growth and prosperity,” and proposed a national day of prayer for “reconciliation among men.”⁹⁴ He concluded with a plea to all

⁹⁰ President Johnson’s Address to Nation on Civil Disorders, July 27, 1967, “11/23/63-9/30/67,” Box 386, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁹¹ *Ibid.*

⁹² *Ibid.*

⁹³ *Ibid.*

⁹⁴ *Ibid.*

Americans: “if your response to these tragic events is only ‘business as usual’—you invite not only disaster, but dishonor...let us work for better jobs and better housing and better education that so many millions of our fellow Americans need so much tonight.”⁹⁵ With a call for action to Congress, city halls, and communities across the country, President Johnson signed off.

The president planned to meet with the newly appointed commissioners at the White House on Saturday morning; he sent each a memo thanking them for their willingness to serve. “No task is of greater concern to our people,” Johnson wrote, adding that the “resources of the government will be at your disposal as you study this complex problem.”⁹⁶ Privately, presidential aide Douglass Cater told his boss the commission “can have useful but only somewhat limited value in terms of dealing with bigger problems of the cities.”⁹⁷ Its primary objective, according to Cater, was addressing “whether or not a conspiracy existed to cause the riots,” a focus that would “serve to remove that issue from partisan conflict.”⁹⁸ The partisan conflict in question related specifically to clashes that summer over several pieces of legislation. Republicans had blocked a bill seeking to fund the extermination of rats in inner cities, a measure that became known as the “rat bill”; Johnson referenced the bill in his address to the nation in an effort to demonstrate Republican callousness when it came to urban issues. In contrast, an anti-riot bill had sped through the House of Representatives on the heels of the Newark riots.⁹⁹ Liberals pointed to the two bills as an example of how conservatives in Congress were

⁹⁵ *Ibid.*

⁹⁶ Lyndon B. Johnson to NACCD Commissioners, July 28, 1967, “11/23/63-9/30/67,” Box 386, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁹⁷ Douglass Cater to Lyndon B. Johnson, July 28, 1967, “11/23/63-9/30/67,” Box 386, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁹⁸ *Ibid.*

⁹⁹ “Races-Spreading Fire,” *Time*, July 28, 1967, “Articles (Magazines, Radio, TV, etc.), Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

uninterested in taking any meaningful steps to improve ghetto life. Cater told Johnson the new commission could “provide general endorsement for keeping the heat on Congress not to run away from your programs” but fortuitously warned of “a danger it may try to brainstorm big new programs of its own.”¹⁰⁰

News broke that Johnson had selected Illinois Governor Otto Kerner as chair of the commission. Speaking to a neighborhood association in his native Chicago, the two-term, “soft-spoken Democrat” pledged to determine “why one American assaults another American, why violence is inflicted upon the people of our cities, why the march to an ideal America has been interrupted by bloodshed and destruction” in his role as chairman.¹⁰¹ Kerner, according to the *New York Times*, boasted a “long record of efforts to achieve more liberal civil rights legislation.”¹⁰² He was a veteran of the Illinois political scene, having deployed the National Guard to mollify disturbances in Chicago, served in the Illinois National Guard himself as a major general, and gained a reputation as an effective leader despite Republican majorities in both Illinois state houses.¹⁰³ Kerner was described as a tireless and intense worker, a man “always canceling golf games” who was supposedly so busy that he barely had time to retreat to southern Illinois and partake in his favorite pastime, duck hunting. He had “successfully guided a number

¹⁰⁰ Cater to Johnson, July 28, 1967, “11/23/63-9/30/67,” Box 386, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹⁰¹ Donald Janson, “Kerner Pledges Thorough Study of Urban Rioting,” *The New York Times*, July 28, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰² *Ibid.*

¹⁰³ When Kerner was appointed chairman, he had not yet announced whether he would seek a third term as governor or, as reports indicated, challenge Republican Everett Dirksen for his seat in the senate.

of housing, employment, and education programs” as governor and stated there was “no room in America for any provocateurs who want to change the course of democracy.”¹⁰⁴

The White House scheduled a press conference for Saturday morning, July 29, to formally sign the executive order and introduce the commissioners. The evening before, Califano sent a memo to the president outlining the main talking points, drafted by speechwriter Harry McPherson and stemming from a meeting among Johnson cabinet members and staffers. The agenda included a copy of the proposed executive order for establishing the commission, a history of instances where the president deployed federal troops in domestic incidents, and a copy of Johnson’s address to the country from the previous evening.¹⁰⁵ Johnson would shake hands and pose for pictures with each commissioner, lasting approximately 10 minutes, read his talking points, and offer each commissioner a fountain pen to commemorate the occasion.¹⁰⁶ After the president’s remarks, Vance would brief them on his time in Detroit, Johnson would sign the Executive Order, and Kerner would hold a brief press conference later in the day.¹⁰⁷

Johnson welcomed the commissioners, members of his administration, and the press to the White House Cabinet Room and spoke to them directly, flanked by Kerner and Lindsay—who had been selected as vice chair of the commission—at the podium. “I commend you for what you have agreed to do for your country. You are undertaking a

¹⁰⁴ “Head of Riot Inquiry—Otto Kerner,” *The New York Times*, July 28, 1967, “Reaction: Pre-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX; Janson, “Kerner Pledges Thorough Study,” *The New York Times*, July 28, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰⁵ White House Memo, “State Requests for Federal Assistance in Suppressing Domestic Violence,” July 29, 1967, “11/23/63-9/30/67,” Box 386, FG 690, NACCD, WHCF, LBJ Library, Austin, TX. Among the incidents included on this list were Pennsylvania’s Buckshot War (1838); Rhode Island’s Dorr Rebellion (1842); riots in Reconstruction-era New Orleans; mining disturbances in Idaho, Colorado, and Nevada; and, most recently, race riots in Detroit in 1943.

¹⁰⁶ Joseph Califano to Lyndon B. Johnson, July 28, 1967, “Commission on Civil Disorders (2),” Box 11, Papers of Califano, LBJ Library, Austin, TX.

¹⁰⁷ *Ibid.*

responsibility as great as any in our society,” he told the commissioners.¹⁰⁸ The American people, he said, were “baffled and dismayed by the wholesale looting and violence that has occurred both in small towns and large metropolitan centers...and we in America shall not tolerate it.”¹⁰⁹ In its investigation of the rioting, the Kerner Commission would use three primary questions as its foundations: “What happened? Why did it happen? What can be done to prevent it from happening again and again?”¹¹⁰ Beyond these basic tenets were secondary questions for the commission to consider: “Why [do] riots occur in some cities and not others? Why [does] one man break the law, while another, living in the same circumstances, does not? Who took part in the riots? What is the relative impact of the depressed conditions of the ghetto...in stimulating to riot?”¹¹¹ In the short term, the Kerner Commission needed to offer steps in preventing riots; in the long term, Johnson wanted it to offer advice to “make them only a sordid page in our history.”¹¹² He briefly departed from his prepared remarks to reiterate that a recent poll showed “80 percent of Americans rate racial violence and conflict as the nation’s number one problem.”¹¹³

The president conceded that the commission’s assignment was a “tall order,” adding that it would succeed “only if you come to the meetings of this commission regularly, and put your shoulders to the wheel...[only then] can America have the kind of

¹⁰⁸ President Johnson’s Remarks on Executive Order Establishing National Advisory Commission on Civil Disorders, July 29, 1967, “Press Releases and Transcripts,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰⁹ *Ibid.*

¹¹⁰ *Ibid.*

¹¹¹ *Ibid.*

¹¹² President Johnson’s Remarks on Establishing NACCD, July 29, 1967, “Press Releases and Transcripts,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹³ Frederick Bohen, Minutes of White House Meeting, July 29, 1967, “Commission Staff Correspondence,” Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

report it needs and will take to its heart.”¹¹⁴ It was not an assignment to underestimate, nor was it a time to engage in petty political feuds; the task “goes to the proper responsibility of officials in both parties...I think the composition of this Commission is proof against narrow partisanship.”¹¹⁵ Johnson also urged the commission not to simply tell his administration what it wanted to hear; he did not want or expect a report that “put the stamp of approval on what the Administration already believed.”¹¹⁶ Given the partisan rancor that had already begun and Johnson’s defensiveness over his administration’s domestic accomplishments, these remarks rang a bit hollow as the Kerner Commission set out to study the riots. Before deferring to Vance, the president concluded his remarks with some final words of encouragement:

Let your search be free. Let it be untrammelled by what has been called the ‘conventional wisdom.’ As best you can, find the truth and express it in your report. I hope you will be inspired by a sense of urgency, but also conscious of the danger that lies in hasty conclusions. The work you do ought to help guide us for many years—for many summers—to come. I have great confidence in you. You are all leaders and you, Governor Kerner and Mayor Lindsay, are leaders among leaders.¹¹⁷

The president had informed his commissioners of the stakes, letting both them and the general public know of his expectations; the onus was now on Kerner, Lindsay, and their nine colleagues to devise a plan and report back promptly. The coming months would reveal discrepancies, however, in terms of the president’s public and private stances on the commission’s philosophy and eventual recommendations.

The roll call for the Kerner Commission was certainly lacking in racial and gender diversity, but it boasted a cross-section of professional affiliations and

¹¹⁴ President Johnson’s Remarks on Establishing NACCD, July 29, 1967, “Press Releases and Transcripts,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹⁵ *Ibid.*

¹¹⁶ *Ibid.*

¹¹⁷ *Ibid.*

worldviews. The commission had civil rights veterans, precocious politicians, older moderates, law enforcement officials, and private businessmen; it had members who favored stringent policy with rioters and members who placed much of the blame on law enforcement tactics. Most had dealt with “urban strife” in some form; none had fringe political beliefs.¹¹⁸ The political profiles of those selected were moderate, well-respected, and safe. The hope was that Kerner, a Democrat from the Midwest, and Lindsay, a Republican Mayor used to canvassing in New York’s five boroughs, would provide balanced leadership at the head of the table. Lindsay, an outspoken critic of the Vietnam War, emphasized the commission’s need to speak with “people who know the problems and have lived with [them].”¹¹⁹ In addition to Harris, the young congressman who had stumped for creating a commission on the Senate floor the previous week, Johnson had picked Corman and McCulloch, veterans on urban affairs; Thornton, a “political independent with a long record in promoting [Johnson’s] antipoverty program”; Abel, whose union had “an extremely good record on race relations,” and Jenkins, one of the longest-tenured police chiefs of a major city in the country.¹²⁰ The two African Americans selected, Brooke and Wilkins, were “the first Negro member of the senate in a century” and “an influential moderate Negro leader who has been arguing against the extremist advocates of so-called Black Power,” respectively. Peden, the only woman serving on the commission, believed the government should “carry a big stick and get tough with rioters and looters.”¹²¹ A White House source reported that Johnson had left

¹¹⁸ Janson, “Kerner Pledges Thorough Study,” *The New York Times*, July 28, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹⁹ William Chapman, “Johnson Meets Probe Panel, Hears Vance Report Today,” *The Washington Post*, July 29, 1967, A8.

¹²⁰ Frankel, “President Forms Panel to Assess Riots,” *The New York Times*, July 28, 1967, 11.

¹²¹ Chapman, “Johnson Meets Probe Panel, Hears Vance Report Today,” *The Washington Post*, July 29, 1967, A8.

“militant Negro leaders” like H. Rap Brown and Stokely Carmichael off the commission because “the President was interested in accomplishment.”¹²²

The staff for the “Kerner Commission,” as it became known informally, would likely be mined from the Departments of Justice, Labor, Housing and Urban Development, and Health, Education, and Welfare. Speculation on when the commission would release its report differed; one estimate said by January 1, while Senator Harris hoped for a preliminary report in a month and a final edition in six months. The official Executive Order proclaimed the commission “shall make an interim report as to its findings of fact not later than March 1968, and shall present its final report and recommendations not later than one year from the date of this order.”¹²³ The order also affirmed that all executive departments and agencies were “authorized, to the extent permitted by law and within the limits of available funds, to furnish information and assistance to the commission.”¹²⁴

When Johnson had finished, Vance offered his update on Detroit, which he described as having “almost returned to normal as of Saturday morning.”¹²⁵ He reported that arson in the city had ceased and lighting restored. Federal officials were leading the effort to distribute food and provide health and emergency services, and “about 90 percent of the small shops and business establishments are functioning.”¹²⁶ Like President Johnson, Vance also used “law and order” rhetoric; the loss of law and order, he said,

¹²² Janson, “Kerner Pledges Thorough Study,” *The New York Times*, July 28, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹²³ Executive Order 11365, “Establishing National Advisory Commission on Civil Disorders,” July 29, 1967, “Commission Session Agenda,” Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

¹²⁴ *Ibid.* The Order defined the functions of the commission as identifying “the origins of the major civil disorders in our cities, including the basic causes and factors leading to such disorders” and “the development of methods and techniques for averting or controlling such disorders.”

¹²⁵ Bohen, Minutes of White House Meeting, July 29, 1967, “Commission Staff Correspondence,” Box 1, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹²⁶ *Ibid.*

was “a tragic accident...in our society, law and order must remain the responsibility of state and local authorities.”¹²⁷ At that point, Vance reviewed his own experiences in the city from the previous Monday; he had flown to the city and met with military personnel and local officials, some of whom said the “situation was critical and that Federal troops should be employed to restore order.”¹²⁸ After a tour of the damage and a meeting with 15 additional community leaders who were divided on the use of a military intervention, Vance contacted the White House, noted the reduced tension in Detroit that day, and recommended against using troops. When crime spiked again that evening, Vance changed course, phoned the president, and recommended troops be “moved into position at the Detroit fairgrounds.”¹²⁹ Johnson had “reviewed the constitutional and statutory authority and the history of requests from state and local officials for federal troops to quell civil disturbance,” then officially authorized the deployment.¹³⁰ Vance praised the performance of the U.S. Army troops in Detroit and added that there was “no evidence which would indicate an organized movement behind the riot.”¹³¹ Vance also cast doubt on the majority of sniping incidents, saying that “only two could be positively identified” out of fifty-three reported incidents.¹³² He speculated on the reason for the confusion and misleading reports surrounding snipers:

That is not to say sniping is not a problem. It is. But I think that it probably has been exaggerated as a problem. Somebody hears a shot and they report it to the police net as a sniping incident. There may be several people who hear that same shot fired, and they all report it so it comes in as six or seven

¹²⁷ Cyrus Vance, Joseph Califano, George Christian White House Press Conference, July 29, 1967, “Califano: Commission on Civil Disorders (2),” Box 11, Papers of Califano, LBJ Library, Austin, TX.

¹²⁸ Bohen, Minutes of White House Meeting, July 29, 1967, “Commission Staff Correspondence,” Box 1, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹²⁹ *Ibid.*

¹³⁰ *Ibid.*

¹³¹ Vance, Califano, Christian White House Press Conference, July 29, 1967, “Califano: Commission on Civil Disorders (2),” Box 11, Papers of Califano, LBJ Library, Austin, TX.

¹³² *Ibid.*

sniping incidents when, in fact, it was one, or it might have been somebody shooting at a street light.¹³³

Questions surrounding the presence of snipers would prove critical in the forthcoming investigation of the riots, helping determine whether some of the police action in the chaos was justified or whether many innocent people had been criminalized and killed due to rampant errors. Ultimately, Vance told the press he hesitated to deploy troops because he thought it might “inflamm the situation rather than to quiet it down...I have been through six or seven of these over the last six years or so that I have been here, and in some situations the over-commitment of force tends to produce a counter result.”¹³⁴ Attorney General Clark also reviewed the sequence of events from the time Romney had telephoned him to Johnson green-lighting the use of federal troops. Multiple administration officials reiterating the timeline from Detroit sent a clear message to Gov. Romney and Republicans: the president had waited to deploy federal troops because he wanted to make sure he had all of the information and that such a deployment was necessary, not as part of some shrewd, ulterior political strategy to undermine a forthcoming campaign.

As photographers and newsreels made their way into the Cabinet Room, Kerner and Lindsay expressed their gratitude at being called to serve on the commission. Both agreed it was a massive undertaking that had no time for partisan conflict. Johnson read a brief statement issued to the mayors of hundreds of American cities before departing the Cabinet Room. At that point, according to minutes, the Kerner Commission conducted its first official meeting. The chairman noted the operation would have offices in

¹³³ Vance, Califano, Christian White House Press Conference, July 29, 1967, “Califano: Commission on Civil Disorders (2),” Box 11, Papers of Califano, LBJ Library, Austin, TX.

¹³⁴ *Ibid.*

Washington and Chicago and would name an executive director shortly. Members planned to call witnesses and conduct hearings in investigating the riots, so there was discussion of whether or not to use subpoena power if necessary; no one in the room opposed it. There was also the matter of whether to make the hearings private or public; commissioners decided to postpone this decision after agreeing that such hearings would not be televised nor discussed publicly at that time.¹³⁵

After breaking for lunch, commissioners reconvened. Lindsay suggested the commission meet again in a few days to “define its role.” Several commissioners spoke up about their own views on the commission’s purpose beyond the official language and presidential oratory surrounding the operation. Lindsay, along with Fred Harris and William McCulloch, “expressed an explicit desire to take on the broad problems that lie behind the riots.”¹³⁶ Tex Thornton felt the top priority was to “support the President’s commitment to stop the riots—for the riots, in addition to the problems they cause at home, add to our problems abroad.”¹³⁷ Here, the Texas native and California-based businessman tapped into the long-held belief, rooted in the Cold War’s tense early period, that America must project a positive, progressive image to the world to serve its geopolitical interests.¹³⁸ Edward Brooke added that he did not want the commission to “just be another study group” and hoped it would “convey to America that something will

¹³⁵ Bohen, Minutes of White House Meeting, July 29, 1967, “Commission Staff Correspondence,” Box 1, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹³⁶ *Ibid.*

¹³⁷ *Ibid.*

¹³⁸ The historiography on how the Cold War affected the U.S. civil rights movement has emerged in the past two decades. Thomas Borstelmann’s *The Cold War and the Color Line* and Mary Dudziak’s *Cold War Civil Rights* demonstrated that American geopolitical interests in the 1950s resulted in many government officials touting civil rights measures to avoid the embarrassment of racism and segregation at home while promoting freedom and democracy abroad. See Thomas Borstelmann, *The Cold War and the Color Line: American Race Relations in the Global Arena* (Cambridge, Mass.: Harvard University Press, 2001), and Mary Dudziak, *Cold War Civil Rights: Race and the Image of American Democracy* (Princeton, N.J.: Princeton University Press, 2000).

be done.”¹³⁹ Commissioners agreed to meet the following week and hear an official report from FBI Director J. Edgar Hoover on the Detroit riots. There were also discussions on assembling a commission staff; Thornton wanted no one with “pre-conceived views,” while Roy Wilkins requested a staff that “represented the entire country and a spectrum of views.”¹⁴⁰ The commission adjourned, still unsure of its exact schedule for the upcoming months.

The final order of business on Saturday was Kerner’s press conference at the White House. The governor told reporters that the commission would meet in Washington “all day Tuesday and Wednesday” and that “philosophically we are all of one mind...it is important that we move as quickly as possible, but we do not want to move to a point of quickness where we lose direction.”¹⁴¹ Priorities included finding an executive director, speaking with Vice President Humphrey on subpoena power for potential witnesses, and meeting with “individuals who have done work on similar kinds of conditions.”¹⁴² Kerner refused to comment on whether the commission would conduct open or closed hearings, nor did he speak to the interim report deadline of March 1, 1968, set by President Johnson in the executive order. He evaded a question about the commission’s makeup, specifically the notion that “the voice of the ghetto is not represented,” saying that all views considered were “not limited to any group by color of skin.”¹⁴³ President Johnson’s call requesting he head the commission had surprised him, and he remained guarded on the exact direction of the commission in terms of examining

¹³⁹ Bohen, Minutes of White House Meeting, July 29, 1967, “Commission Staff Correspondence,” Box 1, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴⁰ *Ibid.*

¹⁴¹ Otto Kerner, White House Press Conference, July 29, 1967, “Califano: Commission on Civil Disorders (2),” Box 11, Papers of Califano, LBJ Library, Austin, TX.

¹⁴² *Ibid.*

¹⁴³ *Ibid.*

“the basic causes of urban decay.”¹⁴⁴ On Sunday, Johnson asked David Ginsburg, a longtime, left-leaning attorney in Washington, D.C., to serve as executive director of the Kerner Commission. The 55-year-old Ginsburg had taught as an adjunct law professor at Georgetown University and held several government posts before going into private practice in 1943. Ginsburg accepted the position, and the two had planned to meet the following day in Washington.

The following Monday, John Lindsay made his first public address since his appointment as vice chairman of the Kerner Commission. Mayor Lindsay, speaking at the Congress of Cities in Boston, separated the majority of the urban poor from the rioters who “are more interested in a free television set than the human condition.”¹⁴⁵ Rather, the majority wanted “to *see* something...they want visible, palpable evidence that their city cares about the conditions under which they live and is working to change them” so that they may “obtain a piece of the action.”¹⁴⁶ Harris described Lindsay as “tall and handsome...urbane and sophisticated...the nationally famous mayor of America’s largest city.”¹⁴⁷ Lindsay, who had served in the Navy in World War II and in the House of Representatives for eight years, was just 44 years old when elected mayor of New York in 1966. An outspoken critic of the Vietnam War, he had witnessed the conditions that bred riots firsthand and was adamant in his promise to examine those conditions. “The ghetto resident cannot be categorized by stereotypes or group thinking,” Lindsay said, adding that “resignation and militancy existed side by side” in the nation’s poorest urban

¹⁴⁴ *Ibid.*

¹⁴⁵ John Lindsay, Address to Congress of Cities, Boston, Massachusetts, July 31, 1967, “Memoranda,” Box 2, Series 60, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴⁶ *Ibid.*

¹⁴⁷ Harris, *Potomac Fever*, (New York: W.W. Norton & Company: 1977), 109.

areas.¹⁴⁸ He acknowledged that there was no place for such rioting but placed much of the blame on the conditions and a society that had failed to reach “the cop-taunters and bottle-throwers who have been in the vanguard of almost every outbreak in the cities.”¹⁴⁹ Such failure was understandable given the widespread hopelessness, Lindsay said, so it was up to a collaborative effort, pooled from public and private resources, to enact change. It would be a slow endeavor, accomplished on a “painstaking, street-level, block-by-block basis,” and require “enormous amounts of both money and time.”¹⁵⁰

The mayor criticized the private sector for placing too much of the burden on city governments and faulted the federal government, which he said “only within the last decade...[began] to use its power and resources against the problems of the cities.”¹⁵¹ Neither branch of Congress, however, had a “Committee on Urban Affairs to oversee legislation dealing with the country’s metropolitan centers,” and Lindsay proposed an urban coalition featuring officials from “the country’s most powerful institutions—business, labor, religion, education and communications.”¹⁵² He also targeted city governments themselves, particularly law enforcement, which he said were seldom concerned with addressing inner city problems constructively. When white officers represented “the man,” it was little wonder that rioters “turned so viciously against the police.”¹⁵³ For the Kerner Commission, he said, “speed is essential...if the function of the commission is to sort out the shortcomings of the cities, and to point out means of

¹⁴⁸ Lindsay, Address to Congress of Cities, Boston, July 31, 1967, “Memoranda,” Box 2, Series 60, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴⁹ *Ibid.*

¹⁵⁰ *Ibid.*

¹⁵¹ *Ibid.*

¹⁵² *Ibid.*

¹⁵³ *Ibid.*

correcting them, we must move with due deliberation, but with all possible haste.”¹⁵⁴

After repeating his condemnation of criminal behavior in the riots and support for law and order, Mayor Lindsay informed his audience that the stakes were the “achievement of full citizenship for American Negroes and the preservation of the American city as the nucleus for our civilization.”¹⁵⁵ The speech foreshadowed why Lindsay would struggle to get along with the administration or many of his fellow commissioners; he was not satisfied with the *status quo* and spared no one when advocating for change. As a Republican criticizing Vietnam involvement and the current resources allocated for urban problems, Lindsay was critical of President Johnson and had thus positioned himself as a quiet adversary whom the president would come to detest. What began as political differences would eventually grow into open contempt.

At his weekly press conference that Monday morning, the president encountered pointed questions related to Vietnam, the Kerner Commission, and his political future. It was a reminder that the Kerner Commission was only one of several crises the president dealt with daily. When told by a reporter that 52 percent of the American public did not agree with the military action in Vietnam, Johnson expressed skepticism as to whether that was an accurate reflection. Pressed on the poll once more, the president said it did not matter to him, adding that his administration did not “base our actions on the Gallup Poll.”¹⁵⁶ He declined to answer whether his administration would consider cutting funding on Vietnam and the space program in order to “increase the flow of funds to the cities” but later remarked that the United States had the wealth to “meet our

¹⁵⁴ Lindsay, Address to Congress of Cities, Boston, July 31, 1967, “Memoranda,” Box 2, Series 60, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵⁵ *Ibid.*

¹⁵⁶ President Lyndon B. Johnson, White House Press Conference, July 31, 1967, “Califano: Commission on Civil Disorders (2),” Box 11, Papers of Califano, LBJ Library, Austin, TX.

responsibilities at home without neglecting our responsibilities in the world.”¹⁵⁷

Reporters read quotes from Romney and Cavanagh that criticized Johnson; Romney claimed the riots stemmed from “national conditions rather than local conditions,” while Cavanagh had asked on “Meet the Press” why the administration was “trying to pacify the villages of Vietnam while we should be pacifying American cities and that we were going to send a man to the moon by 1970 when he couldn’t walk down Woodward Avenue in Detroit.”¹⁵⁸

Johnson addressed neither of these comments directly and restated his support for the Kerner Commission and its eventual findings. He defended the makeup of the commission as well, saying commissioners were handpicked “without regard to any label” and with those “who could make a study of this matter” in mind.¹⁵⁹ The best way to address the riots immediately, Johnson said, was to fully fund proposed programs such as Model Cities and the Poverty Bill, and to allocate funds for summer employment among young people in inner cities. He also declined comment on a report that many former Democratic National Committee delegates wanted him to resign for the sake of the party. As the questions revealed, Johnson’s popularity was clearly waning, even among his allies. A final question came concerning the potential findings of the Kerner Commission: what if recommendations involved more spending? Could the government finance them, mired in debt and double-digit inflation? Johnson said the administration would “do whatever is necessary to do” while pointing out that “if the nation had the same tax rates applied this year to our income as we had when I became President about

¹⁵⁷ Johnson, White House Press Conference, July 31, 1967, “Califano: Commission on Civil Disorders (2),” Box 11, Papers of Califano, LBJ Library, Austin, TX.

¹⁵⁸ *Ibid.*

¹⁵⁹ *Ibid.*

three and a half years ago, we would be receiving in the Treasury some \$23 billion more than we will receive.”¹⁶⁰ The press conference properly contextualized the Kerner Commission as part of a broader tumultuous period endured by the Johnson administration.

As the riots unfolded and the commission formed, letters from private citizens flooded to the White House and Governor Kerner’s office in Springfield. Some of the letters acknowledged that the exigencies of the riots made action necessary; many, however, expressed concern of a different variety. Many of the white Americans writing in were concerned not about the plight of poor African Americans in Newark, Detroit, and other cities, but rather about the direction of the country. In their broad criticism of Johnson and liberalism writ large, the letter-writers echoed Senator’s Byrd’s words from mid-July and relied on old-fashioned tactics originally employed against the civil rights movement. The riots, they claimed, were surely part of some kind of conspiracy, perhaps initiated by communists, or outside agitators, or both. What these people saw were poor blacks, prone to violence, whose limitations were self-imposed and whose actions were anti-American. They had little or no sympathy, appealing to patriotism, law and order, and religion, among other topics, in expressing why the Kerner Commission was a waste of time. They ranged from articulate to incoherent, polite to bigoted.

Perhaps the most common tactic used among the letters involved accusations of Communism and conspiracy. Despite the fall of McCarthyism more than a decade earlier, anti-Communism remained an effective tool in the minds of many Americans, nebulous enough to counter almost any liberal cause even in the late 1960s. Letters faulted “negro

¹⁶⁰ Johnson, White House Press Conference, July 31, 1967, “Califano: Commission on Civil Disorders (2),” Box 11, Papers of Califano, LBJ Library, Austin, TX.

radicals [who] have felt encouraged to commit murders, rapes, thefts, and property depredations” and mentioned “how quickly communist guerillas with a few machine weapons could take over this nation of helpless individuals.”¹⁶¹ Communism, socialism, and conspiracy were subsumed into the idea of radicalism, embodied by men like Carmichael and Brown, “trained by the communist party, whose intentions are not good...they go into the ghetto and give the same communist bull, we’ll take from the rich and give it to the poor...Black Power has just about pushed [other civil rights leaders] to Siberia.”¹⁶² One citizen wrote to the commission claiming “the Negro people are just being used as cannon fodder to take over the United States.”¹⁶³ Another blamed the “stupid illiterate [sic] negro mobs who...are aiding and abetting the communists and threatening to destroy our land and economy.”¹⁶⁴ By framing riots and rioters as radical, these “concerned citizens” presented what was happening across the country as un-American, as something beyond societal norms. The ghetto, its residents, and its problems were thus “other-ized” by these critiques, foreign and dangerous in comparison to the orderly white suburbs.

Writers also labeled themselves as law-abiding citizens as a method of distinguishing themselves from those in violation of law and order, which one citizen described as “a spineless mockery in this country...the hard-working, law-abiding citizen

¹⁶¹ W. Jefferson Davis to Gov. Richard Hughes, July 17, 1967, “D,” Box 7, Series 28, NACCD, RG 282, LBJ Library, Austin, TX; J.L. Banks to Gov. Otto Kerner, July 29, 1967, “B,” Box 7, Series 28, LBJ Library, Austin, TX.

¹⁶² Anna Aleunen to Gov. Otto Kerner, July 30, 1967, “A,” Box 7, Series 28, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁶³ Mrs. Arden Druce to Kerner Commission, July 30, 1967, “D,” Box 7, Series 28, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁶⁴ William Cernery to President Lyndon B. Johnson, July 31, 1967, “C,” Box 7, Series 28, NACCD, RG 282, LBJ Library, Austin, TX.

is short-changed.”¹⁶⁵ Linked to law and order was the idea that a careless, liberal government was wasting money and condoning criminal behavior in the ghetto. As with the connections to communism, it also allowed citizens to frame rioters and rioting as outside of the norm; plain, everyday Americans touting respect for law and order stood in contrast to violent rule-breakers. “I believe I should be able to feel safe in my country, even though I am a law-abiding Caucasian,” one man wrote.¹⁶⁶ Many letters associated whites with obeying law and order, and blacks with criminality. Calls for punishment of the rioters were harsh; many wanted to give “the police a lot more power” to maintain law and order, and some went so far as to say rioters should be “shot dead on sight.”¹⁶⁷ In the minds of many white citizens, rioters were threats rather than victims.

Perhaps most disturbingly, many letters to public officials used overt racism when describing riots and rioters and the solutions for handling them. Blacks were characterized as ungrateful and subhuman in letters ranging from bold typeface to barely legible scribbles. “The only worthwhile poverty money is spent on education to bring them up to our standards so they won’t act like animals,” one letter claimed.¹⁶⁸ Another asked: “Why does the administration close its eyes to the fact that these Negroes are criminal in nature...the fact that a man’s skin is black does not give him license to kill, burn, and pillage!”¹⁶⁹ Against the standard of law-abiding white citizens was the notion of anti-American “hoods and people too lazy to work for a living....if they were worth

¹⁶⁵ Erika Andrews to Gov. Otto Kerner, July 30, 1967, “A,” Box 7, Series 28, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁶⁶ Richard C. Drew to President Lyndon B. Johnson, July 29, 1967, “D,” Box 7, Series 28, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁶⁷ Marian Blust to Gov. Kerner, July 31, 1967, “B,” Box 7, Series 28, NACCD, RG 282, LBJ Library, Austin, TX; Banks to Kerner, July 29, 1967, “B,” Box 7, Series 28, LBJ Library, Austin, TX.

¹⁶⁸ Robert F. Derrey to President Johnson, July 28, 1967, “D,” Box 7, Series 28, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁶⁹ G.O. Aakhus to Anti-Riot Commission, July 29, 1967, “A,” Box 14, Series 28, NACCD, RG 282, LBJ Library, Austin, TX.

helping, they'd help themselves.”¹⁷⁰ One man posed whether the government “should try to buy some real estate in Africa and send some of these U.S. haters back so that they could have a homeland.”¹⁷¹ It was easy to explain these letters away as fringe elements in the dialogue on race and riots in America—while acknowledging there was also plenty of encouraging, constructive feedback as well—but the fact that thousands of them reached officials like Kerner and Johnson underscored the fact that virulent racism was very much alive even in the wake of the passage of landmark civil rights legislation. The Kerner Commission would have to contend with the fact that portions of its intended audience held such beliefs.

July did not end peacefully. Riots in Milwaukee exploded, prompting officials to seal off inner parts of the city, issue a curfew, fend off alleged snipers, and shut down the airport temporarily. Federal troops began to withdraw from Detroit, but the anxiety remained; Governor Romney reiterated in a press conference that President Johnson had stalled and “played politics in a time of tragedy and riot.”¹⁷² With hundreds of American cities on edge as August approached and a beleaguered presidential administration searching for answers, the Kerner Commission began to craft a blueprint for researching its forthcoming report. It had to offer explanations and solutions quickly and efficiently. It had to satisfy bipartisan expectations. It had to prove that it was more than a well-intentioned study whose ideas were unrealistic or would never come to fruition. To everyone involved with the fledgling project, the stakes were quite clear.

¹⁷⁰ A.W. Drake to Kerner, July 29, 1967, “D,” Box 7, Series 28, NACCD, RG 282, LBJ Library, Austin, TX; Fern Draper to Gov. Kerner, July 31, 1967, “D,” Box 7, Series 28, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁷¹ Glenn Barr to Kerner Commission, July 30, 1967, “B,” Box 7, Series 28, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁷² *Huntley-Brinkley Report*, NBC News, “Milwaukee Explodes, et. al,” July 31, 1967, “Huntley-Brinkley Tapes 15-24,” Box 2, Series 40, NACCD, RG 282, LBJ Library, Austin, TX.

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“I think it is tremendously important that there be some continuing visibility for the commission and its work during its early days,” Fred Harris wrote to David Ginsburg and Otto Kerner on August 1 in barely legible blue ink.¹ Harris wanted the Kerner Commission to demonstrate “something is being done,” that it was not “just another study.”² If the commission retreated to engage in under-the-radar fact-finding for six months, he feared, it could undermine “its ultimate recommendations with the public and the Congress.”³ Recommendations in the August 1 memo included regularly disseminating information to public officials, including expert testimony and research results, and taking “preliminary positions” related to training standards and support for local police and National Guard troops.⁴ Harris also made a recommendation he wanted less publicized: for small groups of commissioners to take trips to cities affected by riots. The commissioners were to have “little advance fanfare” on such trips, which would serve as a way “just to see the conditions, get a feel for them, and visit casually with ordinary citizens.”⁵ Harris’s recommendations sought to avoid critiques of past presidential commissions said to be too private and too isolated. Quietly making trips to riot-affected areas while releasing relevant testimony and stances on riot training might engender goodwill among inner-city residents, Congress, and the broader public.

With the strategy for public relations underway, the Kerner Commission had already begun interviewing expert witnesses in early August in Washington. Among

¹ Fred Harris to David Ginsburg and Otto Kerner, August 1, 1967, “Honorable Fred R. Harris,” Box 1, Series 47, Records of the National Advisory Commission on Civil Disorders, Record Group 282, Lyndon B. Johnson Presidential Library, Austin, TX.

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.*

⁵ *Ibid.*

those expected to testify were J. Lee Rankin, formerly of the Warren Commission, Warren Christopher, formerly of the McCone Commission that investigated the Watts riots, and J. Edgar Hoover. Following Harris's handwritten recommendation, Kerner decided to release some of the findings from the hearings to the public. Hoover's testimony attracted the most attention. In his closed-door testimony, the FBI Director told commissioners that his bureau had found no evidence of conspiracy or organization by communists or subversives in the recent riot outbreak. The FBI had also found no evident pattern in the alleged sniping incidents in Newark, Detroit, or elsewhere. Hoover did add, however, that while there were no apparent connections between riots, the FBI had discovered "non-residents taking part and agitating racial trouble in some of the cities."⁶ Hoover noted that he did not assign much significance to these outside agitators, but publicizing such a charged phrase made headlines nonetheless. The notion of "outside agitators" in civil rights had significant connotations that suggested that any kind of civil rights activity—or, in this instance, rioting—did not reflect the beliefs or desires of the local population. Outside agitators were frequently linked with radicalism in an effort to weaken civil rights endeavors through the mid-twentieth century.

Hoover's released testimony prompted former White House Press Secretary George Reedy to write to President Johnson. Reedy, who had left his post in the administration over military action in Vietnam, warned his former boss "unless the current policies of the riot commission are changed, the group could easily wind up creating almost as many problems as the riots themselves."⁷ Reedy cited Hoover's testimony released in a press briefing as a "case in point" of creating "a considerable

⁶ Roy Reed, "Riot 'Agitators' Cited by Hoover," *The New York Times*, Aug. 2, 1967.

⁷ George Reedy to Lyndon B. Johnson, August 3, 1967, "11/23/63-9/30/67," Box 386, FG 690, NACCD, White House Central Files, LBJ Library, Austin, TX.

amount of confusion” with conflicting reports on conspiracy and outside agitators while maintaining that the agitators were not significant.⁸ Kerner’s press briefing mischaracterized the remarks and allowed media outlets to focus on the presence of agitators. Reedy pointed out that the Kerner Commission was not the only body tasked with investigating the riots, either; the Senate Judiciary Committee, headed by notorious Mississippi segregationist Jim Eastland, and the Permanent Senate Investigation Subcommittee, chaired by Arkansas conservative John McClellan, were also investigating with an eye toward conspiracies and radical influences. “No person should take it upon himself to ever characterize the conclusions of another man,” Reedy wrote, reasoning that it would only “start an argument,” especially with those clamoring to unearth conspiracy and agitators anyway.⁹ Reedy advised that the commission should either hold open hearings for the press to attend or issue verbatim transcripts of anything behind closed doors, offering witnesses the opportunity to speak to reporters directly. Better communication would prevent handing political leverage to those more interested in crushing disturbances than addressing the conditions that bred them.

On August 2, South Carolina Senator Strom Thurmond addressed a frequent target for criticism related to the riots: former SNCC head and Black Power advocate Stokely Carmichael. Carmichael and H. Rap Brown, who had replaced Carmichael as the leader of SNCC earlier in the year, had given several incendiary speeches advocating that blacks engage in guerilla warfare against whites. The two leaders, both of whom were in their mid-20s, had played important roles in moving SNCC’s civil rights activism from the rural South to the urban North, making a conscious decision to exclude whites in the

⁸ Reedy to Johnson, August 3, 1967, “11/23/63-9/30/67,” Box 386, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁹ *Ibid.*

burgeoning Black Power movement along the way. On the Senate floor, Thurmond said Carmichael was “in Cuba calling for the overthrow of the American government by force...he should be brought to justice the moment he returns to this country, if he returns at all.”¹⁰ The senator further labeled Carmichael a Communist, a race baiter, and a “clear and present danger” who was responsible for hijacking the civil rights movement and throwing inner cities into open rebellion.¹¹ “That he is an insurrectionist can be understood by anyone who can read the printed word,” he said.¹²

Carmichael was indeed in Havana, meeting with Castro and calling for black activists in the Western Hemisphere to “take arms and fight...[and] seek vengeance” against imperialist enemies.¹³ “The fight is not going to be a simple street fight...It is going to be a fight to the death,” he told a Cuban audience.¹⁴ Brown, who had stated “if I had a gun, I might just shoot [President Johnson’s wife] Lady Bird,” was linked to starting a riot in Cambridge, Maryland, the previous month, calling for activists to burn the city down.¹⁵ Together, they were part of the inspiration for the antiriot legislation that had sped through the House of Representatives with the support of Republicans and southern Democrats. To the American general public, Carmichael and Brown were the menacing faces of Black Power, intent on fomenting violence and toppling white power

¹⁰ Sen. Thurmond, speaking on Aug. 2, 1967, 90th Cong., 1st Sess., *Congressional Record*, “Congressional Record,” Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹ *Ibid.*

¹² *Ibid.*

¹³ “Is Castro Behind Guerrilla War in US Cities?” *U.S. News & World Report*, Aug. 14, 1967, “Conspiracy Theory,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴ “The People: A Time of Violence and Tragedy,” *Time*, Aug. 4, 1967, 17, “Articles (Magazines, Radio, TV, etc.), Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵ *Ibid.*

structures. The prevailing sentiment was that they had “declared war against white America.”¹⁶

The White House took note. In an August 2 cabinet meeting, Attorney General Ramsey Clark reiterated the need to “give support to the responsible Negro leaders” and “isolate the radicals” in order to prevent an all-out “race war.”¹⁷ Vice President Humphrey added that fifty-two American cities were “about to explode...there is much fear and panic throughout the country.”¹⁸ When Humphrey reiterated Hoover’s stance that “the Justice Department has no hard evidence of conspiracy or of overall organization,” the president chimed in, “I don’t want to foreclose the conspiracy theory now. Keep that door open. Even though some of you will not agree with me, I have a feeling there is more than we see at the moment.”¹⁹ Secretary of State Dean Rusk finally asked if there was “a remedy or legal way to take care of Stokely Carmichael or H. Rap Brown,” citing each “threatening the lives of multiple administration officials.”²⁰ Informed that officials were monitoring both situations but that there was likely no basis for a case at the moment, Secretary of the Treasury Henry Fowler said it was “incredible to think that you can’t make a case against Brown and Carmichael” given the circumstances.²¹ “What about a man who called for the assassination of the president?”

¹⁶ “What ‘Black Power’ Leaders Are Demanding,” *U.S. News & World Report*, Aug. 7, 1967, “Organizations,” Box 3, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁷ Ramsey Clark, Confidential Minutes of White House Cabinet Meeting, Aug. 2, 1967, “Cabinet Meeting 8/2/67,” Box 9, Cabinet Papers, LBJ Library, Austin, TX.

¹⁸ Hubert Humphrey, Confidential Minutes of White House Cabinet Meeting, Aug. 2, 1967, “Cabinet Meeting 8/2/67,” Box 9, Cabinet Papers, LBJ Library, Austin, TX.

¹⁹ *Ibid.*, Lyndon B. Johnson, Confidential Minutes of White House Cabinet Meeting, Aug. 2, 1967, “Cabinet Meeting 8/2/67,” Box 9, Cabinet Papers, LBJ Library, Austin, TX.

²⁰ Dean Rusk, Confidential Minutes of White House Cabinet Meeting, Aug. 2, 1967, “Cabinet Meeting 8/2/67,” Box 9, Cabinet Papers, LBJ Library, Austin, TX.

²¹ Henry Fowler, Confidential Minutes of White House Cabinet Meeting, Aug. 2, 1967, “Cabinet Meeting 8/2/67,” Box 9, Cabinet Papers, LBJ Library, Austin, TX.

Rusk asked, to which Clark replied: “We will have to see on this.”²² Johnson, according to the minutes, told his Cabinet that “everybody recognizes the potential explosion inside our cities” and “asked each cabinet member to think of ways to avoid another Newark or Detroit.”²³

In the meeting, Johnson also asked his Cabinet what they thought of the notion of engaging with Carmichael and other radicals considered closer to “the voice of the ghetto” than commission members like Roy Wilkins.²⁴ The criticism had originally surfaced when the president named the Kerner Commission members. If those in the room did not care what Carmichael or Brown had to say, there were some in Washington interested in understanding the riots beyond violating law and order, including some members of the Kerner Commission. Carmichael and Brown’s over-the-top statements encouraging violence overshadowed their salient points as grassroots activists about the ills of ghetto life. The Kerner Commission did not offer this perspective among its eleven members, but that did not mean it did not wish to understand it. As Chicago-based activist Jesse Jackson put it, “riots are illegal, but make no mistake about it, they are not illegitimate...they are the result of legitimate grievances from people who have a legitimate claim upon the society.”²⁵ One article argued the “astonishing thing is that the Negro kept his cool as long as he did in the face of legislative travesties and

²² Clark, Confidential Minutes of White House Cabinet Meeting, Aug. 2, 1967, “Cabinet Meeting 8/2/67,” Box 9, Cabinet Papers, LBJ Library, Austin, TX.

²³ Johnson, Confidential Minutes of White House Cabinet Meeting, Aug. 2, 1967, “Cabinet Meeting 8/2/67,” Box 9, Cabinet Papers, LBJ Library, Austin, TX.

²⁴ *Ibid.*

²⁵ Rev. Jesse Jackson to Mayor Richard J. Daley, Aug. 1, 1967, “Poverty Area Environment,” Box 2, Series 29, NACCD, RG 282, LBJ Library, Austin, TX.

neighborhood brutalities systematically dealt to him, even into the hot summer of 1967.”²⁶

A study released by the School of Police Administration and Public Safety at Michigan State University that summer boosted Jackson’s point. It described rioting as “an outlet for the frustrations encountered by the victims of ghetto living...although it may indicate a failure of certain programs and responsibilities of society as a whole, it is more important to view riotous behavior as an expression of needs, wants, and protests of the ghetto community.”²⁷ The study noted “the people of the ghetto lack psychological and social resources to communicate their wants, needs, and grievances.”²⁸ This stemmed from a fundamental misunderstanding of the urban poor. The study observed:

There is a predominant feeling that those who live in the culture of poverty must be socialized to possess middle-class values...The pathology of our suburbs is seen in the emptiness reflecting a futile struggle to find substance and worth through the concretes of things and possessions. This lack of understanding of the culture of poverty, the condescending moralizing of the middle-class toward the lower-class, and the pressure for all to be governed by the ‘good’ middle-class values has resulted in rejection of middle-class society by those being pressured to change.²⁹

The study linked this misinterpretation of the urban poor to the “obvious” cause of each riot, “police action of one type or another.”³⁰ It listed the examples as a reminder:

In Watts, it was a routine traffic arrest; in Chicago it was the shutting off by police of a fire-hydrant providing some degree of relief from heat to ghetto youth; in Newark it was the arrest of a taxi-cab driver for a minor traffic violation; and in

²⁶ “Riots and Root Causes,” *Commonweal*, Aug. 11, 1967, “Attitudes,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

²⁷ “Analysis and Recommendations with Respect to Disorders in Our Cities Particularly as to Police and Community Relations,” The National Center on Police and Community Relations, School of Police Administration and Public Safety, College of Social Science, Michigan State University, July/August 1967, “Disorder in Our Cities,” Box 2, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

²⁸ *Ibid.*

²⁹ *Ibid.*

³⁰ *Ibid.*

Detroit it was a police raid on an illegal afterhours drinking establishment.³¹ Even while remaining firm on the importance of maintaining law and order, commissioners like Fred Harris and John Lindsay also believed understanding riots from this perspective—understanding the disconnect between the ghetto and suburbs and the widespread distrust of law enforcement among the urban poor—was crucial to the final report; engaging with some of the ideas put forth by activists like Carmichael and Brown without wholly endorsing their platforms would yield a fuller, more accurate picture of riots and the motivations behind them.

Reaction to how the administration had handled the riots varied. One editorial stated Johnson should “be commended for not being over the top in vilifying rioters nor giving into liberals...he was appropriately measured.”³² His decision to take the “middle course” on a “crisis of national purpose” would take criticism from liberals for “temporizing out of fear of alienating the ‘white backlash’ vote in 1968” and criticism from conservatives for “failure to maintain law and order,” the editorial claimed, but it was nonetheless a sound decision.³³ A *Wall Street Journal* editorial described the riots as a “painful embarrassment” for an administration that had learned a hard lesson in the Watts riots of 1965.³⁴ Johnson’s decision to send “rush-delivery aid” to Watts, the editorial stated, gave the impression that “the only way to get government help was through violence.”³⁵ As a result, Johnson “sent to Detroit not a team of federal experts to pull together the best known programs,” as he did in Los Angeles two years prior, but

³¹ “Analysis and Recommendations with Respect to Disorders in Our Cities,” July/August 1967, “Disorder in Our Cities,” Box 2, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

³² “A Mood of Caution Under Pressure,” *The New York Times*, Aug. 6, 1967, “Reaction: Pre-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

³³ *Ibid.*

³⁴ Monroe Karmin, “LBJ Embarrassment: Race Rioting Can Be Linked to Handling of Watts in ’65,” *The Wall Street Journal*, Aug. 4, 1967, 8.

³⁵ *Ibid.*

rather “battalions of federal troops to secure the city.”³⁶ The danger with the “don’t-reward-the-rioters” mentality, however, was that it might “serve as justification for a wholesale scuttling of Great Society welfare legislation.”³⁷ Indeed, *Time* noted that an already “economy-minded Congress” would be “determined not to reward violence” and might turn “sharply unsympathetic toward new social legislation,” while sociologist Daniel Patrick Moynihan wrote in the *Los Angeles Times* that not only was there “no political will for the executive branch to move in any direction, and nothing but fear as to what direction Congress will take,” there was also the issue of Vietnam having “used up all the available income [for increasing urban renewal] and taken us beyond that to a massive deficit.”³⁸

In Congress, supporters of outstanding civil rights legislation conceded it was a difficult climate to try and pass such legislation, while smirking conservatives like Mississippi Congressman Thomas Abernethy told peers “you have more trouble in one Northern state than in the whole South combined...[LBJ] used the rhetoric of ‘We Shall Overcome’ in past speeches, but now the ‘Black Power’ boys came back for more, and more, and more.”³⁹ In spite of all the platitudes spouted by commissioners and administration officials about a commitment to non-partisanship, complex political and economic realities, coupled with a muddled view of the president’s course on seemingly

³⁶ Karmin, “LBJ Embarrassment: Race Rioting Can Be Linked to Handling of Watts in ’65,” *The Wall Street Journal*, Aug. 4, 1967, 8.

³⁷ *Ibid.*

³⁸ “A Time of Violence and Tragedy,” *Time*, Aug. 4, 1967, “Articles (Magazines, Radio, TV, etc.), Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX; Daniel P. Moynihan, “Agony of Cities: Where Liberals Went Wrong,” *Los Angeles Times*, Aug. 6, 1967, “Staff Papers/Causal Analysis,” Box 1, Series 60, NACCD, RG 282, LBJ Library, Austin, TX.

³⁹ Rep. Thomas Abernethy, “A Speech That Touched a Tender Nerve in Congress,” *U.S. News & World Report*, Aug. 7, 1967, 33, “Organizations,” Box 3, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

every issue in the Vietnamese jungles and American ghettos, loomed large as the Kerner Commission outlined its plan of action.

Privately, commission and administration officials acknowledged such issues. On August 7, the commission drafted a memo of its “proposed program of fact-finding, research, and study,” which included sections on identifying basic riot factors, contextualizing riots in a long-term perspective, the appropriate methodology for research, and how to allocate and coordinate such daunting research work between commissioners, professional staff, and outside researchers, among numerous other topics.⁴⁰ The same evening, Califano sent a memo to the president indicating there was internal pressure in the commission, particularly from Harris, to “do something in the next few days.” He added that “while David and I both believe the commission should focus its attention both publicly and privately on a thorough study of the riots,” there was concern it might be “hard to stop the Commission from issuing statements in support of certain programs such as the Safe Streets and Crime Control Bill, the Gun Control bill, and commenting on the riot control and integration of the National Guard.”⁴¹ Executive Director David Ginsburg’s intent was to “try and stop” the commissioners from commenting, particularly about the “Guard’s riot training or integration since they have almost nothing in the record to support such statements.”⁴² Califano’s missive to Johnson concluded: “Unless you disagree, David will do everything he can with Tex Thornton and perhaps others to keep the Commission from shooting from the hip, which we both

⁴⁰ National Advisory Commission on Civil Disorders Draft Memo, “Proposed Program of Fact-Finding, Research, and Study,” Aug. 7, 1967, “Fred Harris,” Box 4, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

⁴¹ Joseph Califano to Lyndon B. Johnson, Aug. 7, 1967, “Commission on Civil Disorders-2,” Box 11, Papers of Califano, LBJ Library, Austin, TX.

⁴² *Ibid.*

believe would be damaging.”⁴³ Only a little more than a week after Johnson had said, “let your search be free,” to the commissioners, there were already efforts to stifle individual commissioners voicing opinions on the riots in the interest of preserving political capital. Such reservations from Ginsburg, Califano, and Johnson were understandable given the aforementioned tension of the political landscape, but they also seemed to contradict the spirit of the Kerner’s Commission’s establishment: a government-approved body tasked with determining causes and solutions related to the riots was, almost instantly, asked to censor its members. Califano’s memo spoke to the difficult path the Kerner Commission had to navigate: it needed to provide honest answers while remaining safe and uncontroversial as it searched for those answers.

In a memo to the president the following day, Secretary of Labor Willard Wirtz expressed concern over the results of recent interviews conducted in inner-city Detroit. After explaining the methodology and analytical value of the survey, which polled 496 African American males who had participated in the riot, Wirtz was direct in his assessment: “this report is dangerous in its present form...it will be hard to keep it confidential.”⁴⁴ The thoroughly researched and organized survey indicated that most of the Detroit rioters were in their 20s or early 30s; surprisingly, “four out of five had jobs and were working at the time of the riot,” a revelation that flew in the face of the notion that unemployment in the long, hot summer played a major role in triggering the disorder.⁴⁵ Among a smaller portion of those surveyed, 101 participants cited police

⁴³ Califano to Johnson, Aug. 7, 1967, “Commission on Civil Disorders-2,” Box 11, Papers of Califano, LBJ Library, Austin, TX.

⁴⁴ Willard Wirtz to Lyndon B. Johnson, “Interviews with 496 Negro Men Arrested in the Detroit Riot,” Aug. 8, 1967, “Califano: Detroit Chronology, July 23-31 (1),” Box 58, Papers of Califano, LBJ Library, Austin, TX.

⁴⁵ *Ibid.*

brutality as the chief cause of the riots, 66 attributed them to frustrations related to gaining equality, 65 said they did not know, 20 said a dearth of job opportunities, 17 said poor housing, and 17 said outside agitators. Along the same line, 363 men were polled on their favorite black leader; Martin Luther King, Jr. led the way with 178 votes. Beyond that, 52 said Stokely Carmichael, 21 said Muhammad Ali, 20 said Malcolm X, 12 said Elijah Muhammad, and 56 replied “other.”

While the unemployment numbers were certainly startling, the data on housing in Detroit’s riot-torn areas matched expectations. Wirtz noted that there “is considerable evidence of overcrowded housing...the average number of households per person is over 5...about 12 percent live in households of 8 or more.”⁴⁶ Asked whether living conditions were better, the same, or worse compared to recent years, 53 percent said better, 25 percent said they had stayed the same, and 22 percent said they had gotten worse. The reason Wirtz had characterized the results as “dangerous” was obvious: the rioters surveyed did not match the expected profile of young, idle men willing to burn and loot to express their grievances. Instead of showing federal programs that had failed the urban poor altogether, the survey seemed to indicate that large numbers of young men with jobs were rioting anyway. In the wrong hands, that data could prove damaging to the goals of both the Kerner Commission and the Johnson administration.

On August 10 the Kerner Commission announced the formation of the Advisory Panel on Insurance in Riot-Affected Areas, a panel assigned to “seek answers to questions...with respect to high costs and difficulties in obtaining property and liability

⁴⁶ Wirtz to Johnson, “Interviews with 496 Negro Men Arrested in the Detroit Riot,” Aug. 8, 1967, “Califano: Detroit Chronology, July 23-31 (1),” Box 58, Papers of Califano, LBJ Library, Austin, TX.

insurance in areas where riots have occurred or where they are considered a threat.”⁴⁷

With the sudden, widespread damages to businesses in Newark, Detroit, and other American cities experiencing riots, how insurance coverage would apply was not always clear; the panel’s members included chairman Richard Hughes and a number of insurance executives. Kerner and Lindsay also sent a signed letter with the commission’s first formal recommendations to President Johnson. The letter, which stemmed from talk in the previous two weeks of improving National Guard standards as well as the commission’s need to offer some type of “concrete proposal” to the administration, was forwarded to Secretary of Defense Robert McNamara.⁴⁸

Based on the initial testimony from witnesses before the Kerner Commission, Kerner and Lindsay offered two primary recommendations to the president in their letter; first, “increase substantially the recruitment of Negroes into the Army National Guard and Air National Guard.”⁴⁹ As evidence of the lack of diversity within the organization of citizen-soldiers, they cited official statistics compiled at the end of 1966. Of the 404,996 officers enlisted in the Army National Guard, only 4,638 were African American—a staggering 1.15 percent of the total personnel. The percentage in the Air National Guard was even worse, with only 475 African Americans serving out of a total of 80,822 officers and airmen—just 0.6 percent. Kerner and Lindsay told the president that “the commission believes strongly that this deficiency must be corrected as soon as possible,” and that doing so would “require the combined efforts of the Department of Defense,

⁴⁷ National Advisory Commission on Civil Disorders, Press Release on Formation of Insurance Panel, Aug. 10, 1967, “Press Releases,” Box 3, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁴⁸ “Panel Urges More Negroes Be Added to National Guard,” *The New York Times*, International Edition, Aug. 11, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁴⁹ Otto Kerner and John Lindsay to Lyndon B. Johnson on National Guard, with *New York Times* Demographic Breakdown of National Guard, Aug. 10-11, 1967, “Press Releases,” Box 3, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

state officials, and the Negro community.”⁵⁰ A larger black presence in the National Guard would, the commission reasoned, alleviate the traditional tensions between African Americans and law enforcement when future disorders arose.

The second recommendation Kerner and Lindsay made proposed to “improve and expand riot control training in the Army National Guard and the Air National Guard...we wish to underscore the importance of doing this as rapidly as possible...we recommend special emphasis in training over the next several weeks.”⁵¹ Specifically, they urged a “review by federal and state officials of the qualification and performance of all observers...the Department of Defense should also review federal recognition standards and procedures to insure that they are adequate to preclude the promotion of substandard officers.”⁵² Upon reading the recommendations, President Johnson told McNamara to act on them given that they were “a matter of the highest urgency.”⁵³ Privately, Harris told Ginsburg that he “had good comment on this evidence of early action by us...I hope we can make other recommendations...much of what our commission does will necessarily be controversial.”⁵⁴ The senator added he was “proud” of the way Ginsburg had “performed [his] duties as Executive Director...it was well done in your usual way and the coverage was great.”⁵⁵

⁵⁰ Kerner and Lindsay to Johnson on National Guard, with *New York Times* Demographic Breakdown of National Guard, Aug. 10-11, 1967, “Press Releases,” Box 3, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁵¹ Otto Kerner and John Lindsay to Lyndon B. Johnson, Aug. 10, 1967, “Central Files #2,” Box 1, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

⁵² *Ibid.*

⁵³ “Panel Urges More Negroes Be Added to National Guard,” *The New York Times*, International Edition, Aug. 11, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁵⁴ Fred Harris to David Ginsburg, Aug. 11, 1967, “Honorable Fred R. Harris,” Box 1, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

⁵⁵ *Ibid.*

As the commission made its initial recommendations, other bodies investigating the riots—most of which had differing philosophies on the causes, solutions, and proper approaches to such investigations—continued to craft their own plans for research. Eastland, head of the Senate Judiciary Committee, called for a broader inquiry into rioting that would include interviewing subjects beyond police chiefs. McClellan’s riot probe as part of the Senate Permanent Investigations Subcommittee, authorized by the Senate and intending to focus on the criminal elements of the riots, had removed language suggested by liberals to examine social and economic factors. In the House of Representatives, meanwhile, the anticrime bill that had passed 377 to 23 had seen “a coalition of Republicans and Southern Democrats [rewrite] the bill on the floor to take most controls away from federal officials.”⁵⁶ The proposed aid for local governments would instead be funneled to state officials in block grants, meaning that the bill “bore little resemblance” to Johnson’s original Safe Streets and Crime Act.⁵⁷ According to an article in *Newsweek*, this rewriting coincided with “model cities, rent supplements, school aid, rat control all [being] slashed in Congress by a ‘Republican-Dixiecrat’ coalition.”⁵⁸ Longtime Texan Congressman George Mahon said the riot issue “is not one of dollars but one of discipline,” while conservative North Carolina Senator Sam Ervin said the disorders were “a product of past civil-rights bills which held out the promise that people would be transported to heaven on the wings of federal laws.”⁵⁹ A coalition of Republican governors, led by Nelson Rockefeller and George Romney, had met in New

⁵⁶ “Floor-Action: House Votes Block Grants in Anticrime Bill,” *Congressional Quarterly*, Aug. 11, 1967, Box 2, Series 36, NACCD, RG 282, LBJ Library, Austin, TX.

⁵⁷ *Ibid.*

⁵⁸ “A Crisis That Won’t Go Away,” *Newsweek*, Aug. 14, 1967, “Disorder,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

⁵⁹ *Ibid.*

York to discuss tentative proposals for state plans of action on rioting. All four plans came from political factions opposing President Johnson, a reminder that the administration-approved Kerner Commission's activity would be contested every step of the way until the release of the report. Prior to a forthcoming meeting, staff member John Koskinen reminded colleagues that "the commission is not in rivalry with other investigations being conducted at the same time...our posture is to be thankful and helpful."⁶⁰

The commission's recommendations were challenged directly by Louisiana Congressman Edward Hebert, who bristled at the criticism of the National Guard. Anonymous Army officials had conceded that the Guard "doesn't have the hard-skilled sergeants you need" in riots and could not "measure up to full-time troops who have full-time training and are under professional leadership," but Hebert, the Chairman of the House Committee on Armed Services, admonished commissioners nonetheless.⁶¹ He denied that there was any discrimination in the National Guard, branding any such conclusion as "prejudice and bigoted," with no sufficient supporting evidence.⁶² Mississippi Democrat G.V. Montgomery, himself a lieutenant colonel in the National Guard, was so incensed by the criticism that he suggested abolishing the Kerner Commission. "The American people are fed up with indictments of policemen and

⁶⁰ John Koskinen to Victor Palmieri, "Staff Meeting," Aug. 17, 1967, "John Koskinen," Box 3, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

⁶¹ "A Crisis That Won't Go Away, *Newsweek*, Aug. 14, 1967, 'Disorder,' Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

⁶² "Guard Issues Stirs Clash in House," *The Washington Post*, Aug. 15, 1967, "Newspaper Clippings Related to Commission," Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

guardsmen. What the people want is some action taken against the people who murdered, looted, and burned, and who have no respect for law and order,” Montgomery said.⁶³

In mid-August the commission also began fulfilling Harris’s recommendation of sending commissioners and staffers to visit riot-affected cities. According to the first press release on commissioner trips, Lindsay and Ginsburg visited Newark; Kerner, Peden, and Thornton visited Detroit; and Wilkins and Abel visited New York. Each trip consisted of meetings with local citizen and organizations as well as a tour of the riot damage. Commissioners had already met in Washington with officials from Newark and Detroit, respectively, when the trips to individual cities began. After riding in a red convertible and touring the Central Ward by helicopter, Lindsay played basketball with and bought sodas for Newark youngsters on a walking tour of Newark’s most damaged neighborhoods, describing the local mood of “people who want and need help.”⁶⁴ He also met with Newark Mayor Hugh Addonizio, who had promised local officials would not interfere with the tour, and members of the city’s antipoverty agency. In Detroit, visiting commissioners followed a similar schedule (though they did not shoot hoops), meeting with a dozen black leaders from the religious and business communities. The *Detroit Free-Press* claimed the talks were “so tightly secured that one of Kerner’s aides only gained entrance to the [hotel] meeting room after someone inside slipped him a key under the door.”⁶⁵ Kerner told the newspaper that the trip was for “atmosphere and background” for the report, and that the trip confirmed “this seething undercurrent, not only in Detroit

⁶³ “Johnson Panel Hit For Criticism of Guard,” *Los Angeles Times*, Aug. 15, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁴ Maurice Carroll, “Lindsay Surveys Newark’s Slums,” *The New York Times*, Aug. 17, 1967, 1.

⁶⁵ “LBJ’s Riot Panel Visits City,” *Detroit Free-Press*, Aug. 17, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

but in every city in the United States.”⁶⁶ He also reiterated that the commission would not be political “under any circumstances...it is going to be an objective job.”⁶⁷

Kerner’s visit to Detroit came amid reports of dissension in the commission ranks as well as a *Wall Street Journal* profile that seemed to question his leadership capabilities. The controversy stemmed from a misunderstanding between Kerner and Ginsburg concerning the role of Theodore Jones, who had resigned from the Kerner Commission after less than two weeks as staff director. Ginsburg believed Jones was hired as a permanent staff member, when, in fact, Kerner had always wanted Jones to return to his job as Director of the Illinois Department of Revenue once the commission had stabilized. Both men denied the incident caused friction and disputed that Jones had left the commission “after becoming disenchanted with the investigation.”⁶⁸ A profile of Kerner speculated that “very few people know him well,” and that White House sources indicated he was handpicked to chair the commission because “he is just about the only Democratic governor of a state that has suffered no major racial violence,” an explanation the author described as “not completely convincing.”⁶⁹ Anonymous colleagues wondered whether the appointment was politically motivated and described him as possessing “mixed credentials,” acting quiet, cold, and aloof while governing Illinois, and serving as “something of a straggler in the personality sweepstakes.”⁷⁰ His own speechwriter from his 1964 gubernatorial campaign said Kerner worked hard but was “no dynamic thinker.” Another associate said he was “not an intellectual powerhouse...I don’t think he’s read a

⁶⁶ “LBJ’s Riot Panel Visits City,” *Detroit Free-Press*, Aug. 17, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁷ *Ibid.*

⁶⁸ “Dissension Reports Denied in Resigning from U.S. Riot Probe,” *Chicago Tribune*, Aug. 12, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁹ Philip Boffey, “Who’s That Heading the Riots Study?” *The Wall Street Journal*, Aug. 16, 1967, 10.

⁷⁰ *Ibid.*

book since high school,” while still another said Kerner’s idea of political courage was to “lean forward in his foxhole.”⁷¹ Despite the noticeable and frequent barbs, there were also quotations on Kerner’s honesty, toughness, and ability to “find a place in the middle where a majority of reasonable men can agree.”⁷² Ultimately, there was a consensus on Kerner’s integrity and evenhanded approach that existed even among his political adversaries.

On the national political scene, Martin Luther King Jr. continued to offer unsparing criticism of President Johnson’s policies in Vietnam. On August 12 he had proposed a national referendum on the Vietnam War, claiming that both the Congress and the president had been “unresponsive or indifferent in the face of deepening grassroots opposition to our policy in Vietnam.”⁷³ King contrasted the resources spent on Vietnam with those focused on the conditions that bred riots, observing “while our domestic programs are drastically cut back, we are spending \$16,000 a minute on every minute of the day on one of history’s most cruel and senseless wars.”⁷⁴ Six days later, King announced that the Southern Christian Leadership Conference would “definitely oppose” Johnson in the 1968 presidential election if he did not change his stance on the war. “By a clear majority, the American people repudiate the war in Vietnam,” he said. King’s repeated anti-war statements reflected the rift between Johnson and many civil rights leaders who had praised him just a few years prior. Critics linked Vietnam to a struggling economy, neglect of the cities, and flawed geopolitical motives; the war colored how many Americans viewed the administration and thus cast a shadow over the Kerner

⁷¹ Boffey, “Who’s That Heading the Riots Study?” *The Wall Street Journal*, Aug. 16, 1967, 10.

⁷² *Ibid.*

⁷³ “King Proposes National Vote on Vietnam War,” *Los Angeles Times*, Aug. 12, 1967, “SCLC,” Box 6, Series 24, NACCD, RG 282, LBJ Library, Austin, TX.

⁷⁴ *Ibid.*

Commission's work. In a monthly interview, Harris defended the president, saying the war was not a situation of his own making and that while "riots, Vietnam, taxes...are reason enough for his popularity to be down," Johnson still led potential Republican candidates in preliminary polls for the next election.⁷⁵ The senator predicted Johnson would serve another term. Commissioners would differ in how they addressed the Vietnam War in the coming months, but all would have to contend with it.

Administration officials did not take kindly to the criticism. Vice President Humphrey pointed to the fact that the administration "has requested for fiscal [year] 1968 some \$25.6 billion for programs to aid people below the poverty line—this is double the expenditure in 1963."⁷⁶ He also pointed to the requested \$10.3 billion to appropriate for "use in urban development and general improvement of living conditions" and said comparing the defense budget with the domestic funding budget was unfair.⁷⁷ Vietnam, according to the vice president, was an international situation that America had "not had the luxury of ignoring...we cannot back away from the role that history has given us."⁷⁸ Additionally, the Johnson administration had "almost tripled the aid to our cities in the last six years," he claimed, "so when I hear people say that we haven't done enough, all I can say is: we've done more than anybody else had done previously."⁷⁹ The vice president also clarified comments made in Detroit earlier in the month related to his use of the phrase, "domestic Marshall Plan" when mentioning proposals for urban aid. Humphrey had called for massive aid from public and private resources, pointing to

⁷⁵ "Senator Harris Reports: Transcript of Harris's Monthly Half-Hour Interview," Aug. 20, 1967, "Fred R. Harris, News Releases & Reports," Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

⁷⁶ "Humphrey on his 'Marshall Plan,'" *The New York Times*, Aug. 20, 1967, "Humphrey (Vice President)," Box 4, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

⁷⁷ *Ibid.*

⁷⁸ *Ibid.*

⁷⁹ *Ibid.*

Johnson's Model Cities Program as an example; federal money would go to those local governments with cogent plans to rehabilitate slums as part of a "massive, long-term, public-supported commitment."⁸⁰ The urban crisis was not a situation of "men who simply want money handed to them...we're dealing with people who are non-participating, isolated members of society."⁸¹ Humphrey's desire for massive federal aid with accountability from local officials seemed incongruent with Johnson's own wishes to avoid additional spending, however; reconciling calls for social welfare with economic realities would prove quite complicated.

On August 21 *Newsweek* released the results of a survey that reflected sharp divisions between white and black Americans' attitudes toward riots and the inner cities. A majority of those polled in the Louis Harris survey agreed that "riots have hurt the Negro cause" and that "Negroes themselves suffer worst in the rioting."⁸² That is where most of the interracial agreement ended in the survey. As many as 45 percent of whites attributed the rioting to outside agitators and 71 percent believed the riots to be organized. By contrast, black Americans polled tended to believe riots were "spontaneous" and "by 2 to 1 they feel police brutality is a major cause—a proposition whites reject by 8 to 1."⁸³ Only 16 percent of whites felt that police brutality against African Americans existed; both whites and blacks agreed that looting was a criminal act, but 62 percent of whites believed looters should be shot, in comparison to just 27 percent of blacks surveyed. The article noted that the white responses were "eerily out of

⁸⁰ "Humphrey on his 'Marshall Plan,'" *The New York Times*, Aug. 20, 1967, "Humphrey (Vice President)," Box 4, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

⁸¹ *Ibid.*

⁸² "After the Riots: A Survey," *Newsweek*, Aug. 21, 1967, 18, "Newsweek," Box 3, Series 26, NACCD, RG 282, LBJ Library, Austin, TX.

⁸³ *Ibid.*

register” with the black responses to the same questions.⁸⁴ It described the “firmly held view” of “93 percent of Negroes that an essential lack of progress in jobs, education, and housing contributed critically to the riot atmosphere.”⁸⁵ This section of the survey aligned with the results of a National Gallup Poll conducted during the Newark riots. In the Gallup Poll, only 1 in 100 white Americans believed African Americans were treated “badly,” and 75 percent felt they were treated the same as whites.⁸⁶ Just 4 percent of African gave the same answer on the latter question.

The Harris survey also underscored the diminishing support for the civil rights movement on the part of white America as well as a reversion to supporting “discredited myths” and “accepting stereotypes” that had seen a “sharp downward trend” in the previous four years.⁸⁷ Asked to name the primary causes of rioting, 37 percent of whites “cited [riot] causes such as ‘Negroes are too lazy to work for their rights,’ ‘uneducated people don’t know what they’re doing,’ ‘the law has been too lax,’ etc.”⁸⁸ Only 55 percent of whites believed blacks were discriminated against, compared to 61 percent in 1966 and 71 percent in 1963. On the subjects of jobs and education, 63 percent of whites surveyed believed African Americans got a “better break,” in comparison to just 41 percent asked the same question in 1963.⁸⁹ Responses indicated whites were “clearly angry” about the riots and “felt freer to express their basic mistrust of the Negro.”⁹⁰

⁸⁴ “After the Riots: A Survey,” *Newsweek*, Aug. 21, 1967, 18, “Newsweek,” Box 3, Series 26, NACCD, RG 282, LBJ Library, Austin, TX.

⁸⁵ *Ibid.*

⁸⁶ Lyle Denniston and Judith Randal, “A Search for the Root Causes of Riots,” *The Washington Star*, Aug. 11, 1967, “Causes,” Box 2, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

⁸⁷ “After the Riots: A Survey,” *Newsweek*, Aug. 21, 1967, 18, “Newsweek,” Box 3, Series 26, NACCD, RG 282, LBJ Library, Austin, TX.

⁸⁸ *Ibid.*, 19.

⁸⁹ *Ibid.*

⁹⁰ “After the Riots: A Survey,” *Newsweek*, Aug. 21, 1967, 19, “Newsweek,” Box 3, Series 26, NACCD, RG 282, LBJ Library, Austin, TX.

White fear had also increased, according to the survey, with 76 percent more personally worried about race riots than the previous year in comparison to just 49 percent asked in 1966. The figures were complex—particularly the notion that whites were more comfortable with public integrated spaces while also being more likely to agree with unfounded stereotypes—but the article concluded they offered “scant real encouragement toward the goal of racial peace.”⁹¹

The same issue of *Newsweek* printed an equally unnerving piece interviewing Detroit teenagers from the riot-torn neighborhoods, describing them as “people as tragically distant from the ken of most white and many Negro Americans as the dark side of the moon.”⁹² Depictions of a “minority of a minority,” according to the piece, were not limited to Detroit.⁹³ They applied to the many urban areas where “riots are not criminal, but a legitimate weapon in a morally justified civil war.”⁹⁴ Brown—who was being held on \$25,000 bail in New York for carrying a firearm on an airplane—and Carmichael both articulated what many blacks had believed for years, and riots were “an attempt to seize the white man’s attention by force.”⁹⁵ Dismissing the participants as hardened criminals was misguided; life in the Detroit ghetto involved a culture of poverty where “crime rates spiral, liquor and drugs beckon the desperate, families spiral and failure becomes an accepted part of life.”⁹⁶ The article argued that riots were an indictment of policies that had focused too much on eradicating Jim Crow laws in the South and not enough on hardscrabble conditions in the North. In *US News and World Report*, Los Angeles

⁹¹ *Ibid.*

⁹² “The Hard-Core Ghetto Mood,” *Newsweek*, Aug. 21, 1967, 20, “Poverty Area Environment,” Box 3, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

⁹³ *Ibid.*

⁹⁴ *Ibid.*

⁹⁵ *Ibid.*, 21.

⁹⁶ *Ibid.*

Country District Attorney Evelle Younger disagreed on the characterization of rioters, describing each as “a potential killer,” but cited poorly conceived programs run by unqualified people and misappropriated funds as key elements in the urban crisis.⁹⁷

One of the commission’s own members, Edward Brooke, told the *Christian Science Monitor* that Johnson needed to stop dragging his feet on programs to address the urban crisis, claiming that “in a year...the cities would be burning.”⁹⁸ The senator dismissed the idea of a conspiracy behind the riots but blamed “government, at every level,” for failing “to identify and treat the conditions that lead to these tragic consequences...it has helped to create the atmosphere for violence.”⁹⁹ Administration officials set out on the defensive regarding recent accomplishments; they pointed to the 2,500 hospitals that desegregated after the threat of losing federal funding, the one million blacks who had registered to vote under the Voting Rights Act, and the \$25 million denied to school districts that refused to comply with integration efforts. A *Washington Post* article stated that while “there is little genuine hope within the Administration for new civil rights legislation this year, officials believe they can make great strides under existing laws and through executive action.”¹⁰⁰ Director of Congressional Relations Henry “Boots” Taliaferro had gathered information regarding the institution most capable of amending such policies: U.S. Congress. He reported to the commissioners that “the general attitude of Congress toward the commission appears to be one of friendly skepticism,” and that there were hopes the research would yield “more

⁹⁷ Evelle Younger, “How to Start a Riot,” *U.S. News & World Report*, Aug. 21, 1967, 56, “Disorder,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

⁹⁸ “The Racial Crisis: A Consensus,” *Newsweek*, Aug. 21, 1967, 16, “Commission on Civil Disorders,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

⁹⁹ “Brooke Denies Communists Inspire Riots by Negroes,” *The New York Times*, Aug. 22, 1967, “Senator Edward W. Brooke,” Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰⁰ “Major Gains Claimed by Rights Enforcers,” *The Washington Post*, Aug. 21, 1967, “Civil Rights,” Box 2, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

than just another study.”¹⁰¹ Taliaferro also relayed that Johnson had written to Senate Majority Leader Mike Mansfield “urging prompt action on 23 programs attacking urban problems,” a request the Montanan read on the Senate floor in a show of support.¹⁰² Elsewhere in the Senate, the riot investigations led by McClellan and Eastland continued to conduct hearings. In one hearing, UCLA Professor of Social Welfare Nathan Cohen urged more Americans to engage with black militant voices; Cohen, who had researched the Watts riots extensively, was then “badgered” by Strom Thurmond as to the causes of the rioting.¹⁰³ He disputed the South Carolina senator’s claim that Black Power activists had only exacerbated tensions.

Commission members Jenkins, Corman, McCulloch, and staffer David Chambers traveled to Detroit on August 21 to meet with militant African American leaders of neighborhood and youth groups to discuss the rioting. On their visit, they heard pleas for the commission to “look at the fact that Negroes are systematically excluded from the mainstream of life” and realize “the riots are completely the responsibility of the white society and until they are willing to indict themselves, we will live in guerilla warfare.”¹⁰⁴ In his travel notes, Chambers noted that although neighborhoods sustained significant damage, churches and schools escaped with the exception of “a white plaster statue of Jesus, face and hands of which were meticulously painted black.”¹⁰⁵ The request to “talk to white America” from local leaders was tempered by the cynicism of those leaders’

¹⁰¹ Henry Taliaferro to Commissioners, “Congressional Relations Activity,” Aug. 21, 1967, “August 10-August 29,” Box 1, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰² *Ibid.*

¹⁰³ Eve Edstrom, “No Easy Answers to Riots Senators Told,” *The Washington Post*, Aug. 22, 1967, “Office of Congressional Relations-Clippings,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰⁴ Minutes with Members of National Advisory Commission on Civil Disorders, Aug. 21, 1967, “Detroit,” Box 3, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰⁵ David Chambers, “Highlights of Trip to Detroit,” Aug. 24, 1967, “Central Files #2,” Box 1, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

belief that the meeting was “just another talk session and nothing would come out of it.”¹⁰⁶ The commissioners would say all the right things, but ultimately, calls for better job programs, police protection, open housing, and an end to the Vietnam War would be fruitless. Chambers noted that the meeting with black leaders yielded “graphic illustrations of the frustration and day-to-day humiliation of Negro life, the expressions of bitterness at the complacency of whites, and the open distrust at the Commission as a mechanism for change.”¹⁰⁷ McCulloch challenged the notion that nothing had changed and was described as defensive when touting civil rights measures that had passed. As Walter Cronkite noted on a CBS newscast later in the month, “this is part of the core problem of Negro progress: human spirits maimed by generations of slavery and the whole spiritual cargo of its legacy which has poisoned both races.”¹⁰⁸

A survey conducted by the Urban League and the *Detroit Free-Press* polling African American Detroit residents regarding the causes for rioting seemed to reinforce what militant leaders had told visiting commissioners about the city’s race relations. While the survey turned up expected results in some areas—rioters tended to be younger and poorer, according to the data—an article in the *Akron Beacon-Journal* noted the “remarkable sophistication in the answers Negroes gave in the follow-up investigation.”¹⁰⁹ An analysis of the survey’s results “indicates what some observers have been claiming all along: that the riots sweeping the nation’s cities are rooted in deep

¹⁰⁶ Minutes with Kerner Commission Members, Aug. 21, 1967, “Detroit,” Box 3, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰⁷ Chambers, “Highlights of Trip to Detroit,” Aug. 24, 1967, “Central Files #2,” Box 1, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰⁸ Walter Cronkite, “Black Power,” *CBS Evening News* Script, Aug. 30, 1967, “Office of Congressional Relations-Clippings,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰⁹ “A Report on Causes of Detroit Riot,” *Akron (OH) Beacon-Journal*, Aug. 24, 1967, “Correspondence-Informative,” Box 2, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

frustrations but have many similarities to a revolution of rising expectations.”¹¹⁰ Living conditions, police brutality, and a communitywide perception that blacks were treated differently from whites were the most frequently cited reasons that the riots occurred. Some participants also referred to class, in addition to race, claiming that rioters formed an underclass in Detroit’s most destitute areas. A key to rioters’ attitudes changing, the analysis concluded, was changing “the attitudes of the rest of the society” and offering a stake to those “who consider present channels of advancement too narrow.”¹¹¹

On August 22 Newark Mayor Hugh Addonizio gave five hours of impassioned testimony before the commission that made national headlines. Addonizio’s testimony comprised part of a broader presentation featuring officials and community leaders from Newark. The commission had heard testimony from several high-profile witnesses such as Office of Economic Opportunity Director Sargent Shriver, Vance, and Cavanagh, as well as a similar presentation on Detroit in recent weeks. There were a few noteworthy moments, including former CIA director John McCone saying that failure to halt future riots “is going to destroy our country” and Mayor Cavanagh’s plea to “write a new textbook for the two Americas with which we are faced,” but much of it consisted of shopworn rhetoric on the need to rectify urban poverty and prevent violence.¹¹² Addonizio directed most of his ire toward the suburbs, harping on the myth that “middle class America has an interest in saving the cities” while declaring America was “a suburban

¹¹⁰ *Ibid.*

¹¹¹ *Ibid.*

¹¹² “McCone Says Race Riots Could Tear Nation Apart,” *The Milwaukee Journal*, Aug. 23, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX; Alvin Spivak to Commissioners, “Background Information,” with newspaper articles attached, Aug. 22, 1967, “Correspondence: Commissioners,” Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

nation...only fools consider the suburban rings around a city to be urban.”¹¹³ Affluent residents in the suburbs, he told commissioners, were “gripped more by the need to buy a vacation home, a sports car for their college-bound son, and a second color television set than they are with sharing their [wealth] with the poor.”¹¹⁴

Addonizio’s scathing remarks toward the middle and upper classes in the suburbs was the most public example yet of implicating those living beyond the ghetto boundaries in the riots. Rather than solely blaming the poor for their problems and detailing how rioting reflected violent, flawed character traits, he wondered why the educated and the wealthy watched as passive observers with little interest in offering solutions. The suburbs would “vote the cities out of existence if they could,” he said.¹¹⁵ Addonizio also blamed the riots on insufficient programs and lamented the riot-prone “who are not being reached in these programs except the publicity...they were and are out of the mainstream of American life and they acted exactly that way.”¹¹⁶ After listing the maladies that still plagued Newark—subpar schools, housing, sanitation, and employment rates—Addonizio eviscerated his peers in local government, claiming that the “image of a local so-called power structure with a vested interest in poverty is so absurd.”¹¹⁷ There were too many officials, according to Addonizio, who “use democracy in order to destroy democracy.”¹¹⁸ Other Newark witnesses who testified challenged the mayor, and they “openly said, with

¹¹³ “Addonizio: Suburbs Don’t Care,” *The Newark Star-Ledger*, Aug. 23, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹⁴ “Race Riots Could Tear Nation Apart,” *The Milwaukee Journal*, Aug. 23, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹⁵ “Arousing Suburbia,” *The Newark Star-Ledger*, Aug. 24, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹⁶ *Ibid.*

¹¹⁷ “Suburbs Don’t Care,” *The Newark Star-Ledger*, Aug. 23, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹⁸ “Suburbs Don’t Care,” *The Newark Star-Ledger*, Aug. 23, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

Addonzio sitting there, that there was no meaningful communication between government at any level and the Negro community.”¹¹⁹ Officials described the “electric intensity” of the testimony from African American Newark residents that depicted black youths as fearless and “willing to risk their lives wantonly because they had lost faith in progress by any other route.”¹²⁰ The testimony did not receive the same press coverage as Addonzio’s comments, but it served as a reminder of the complexity and difference of perspectives in each instance of disorder.

A *Newark Star-Ledger* editorial applauded Addonzio for calling out the affluent and recognizing that federal and state efforts would require “active support” from suburbanites; the piece expressed reservations, however, that his remarks were too harsh and would “aggravate and antagonize, when the need is for understanding and cooperation.”¹²¹ A *Wall Street Journal* piece argued that Addonzio’s “all too common” critiques of the middle class were misguided considering the middle class’s “productive effort provides money to aid the poor.”¹²² The riots stemmed from government programs suffering from “a lack of adequate management, or even of plain ordinary common sense,” not suburban neglect.¹²³ “It had always been our impression that getting ahead in life was considered a good thing in this country,” the editorial stated, adding that if “that impression is no longer valid the future looks dubious.”¹²⁴ Given the forthcoming

¹¹⁹ Fred Bohlen to Joseph Califano, “Meeting of Civil Disorders Commission, August 22,” Aug. 24, 1967, “Commission on Civil Disorders-1,” Box 11, Papers of Califano, LBJ Library, Austin, TX.

¹²⁰ *Ibid.*

¹²¹ “Arousing Suburbia,” *The Newark Star-Ledger*, Aug. 24, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹²² “Review and Outlook: The Selfish Middle Class,” *The Wall Street Journal*, Aug. 28, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹²³ *Ibid.*

¹²⁴ “The Selfish Middle Class,” *The Wall Street Journal*, Aug. 28, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

incensed reaction from many suburbanites when it came to assigning blame for inner-city turmoil, these were prescient observations.

Elsewhere in Washington, the debate over the Kerner Commission's recommendations on diversifying and improving the training standards of the National Guard reignited. In a hearing of the House Armed Services Subcommittee, Louisiana Congressman Edward Hebert laid into the commission and accused both them and members of the press of indicting the Guard "without one scintilla of evidence."¹²⁵ Hebert claimed that Kerner did not understand the intricacies of the National Guard well enough to levy such a critique. The commission, Rep. Hebert stated, was unqualified to issue such reckless statements, comprised of "people who probably never heard of the National Guard before they were put on the commission" who were recklessly "playing politics with the Negroes."¹²⁶ He also criticized the Army for its willingness to even entertain the commission's suggestions and the swiftness of the conclusions when the commission had officially formed at the beginning of the month. "Did you ever hear of such speed?" Hebert exclaimed.¹²⁷ When Deputy Secretary of the Army David McGiffert fired back that Kerner himself had headed the Illinois National Guard at one point, an incredulous Hebert replied, "that doesn't mean anything...he's governor," and demanded to see the evidence supporting the recommendations.¹²⁸ Soon thereafter, Hebert sent a

¹²⁵ "Hebert Raps Riot Panel," *Atlantic City (NJ) Press*, Aug. 24, 1967, "Newspaper Clippings Related to Commission," Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX; George Lardner, "Congressmen Assail Guard Critics," *The Washington Post*, Aug. 24, 1967, A2.

¹²⁶ "Hebert Raps Riot Panel," *Atlantic City (NJ) Press*, Aug. 24, 1967, "Newspaper Clippings Related to Commission," Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX; "Riot Panel Statement Challenged," *The Buffalo (NY) News*, Aug. 24, 1967, "Reaction: Pre-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹²⁷ "LBJ's Riot Panel Rapped For Criticism of Guard," *New York Post*, Aug. 24, 1967, "Newspaper Clippings Related to Commission," Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹²⁸ "Hebert Raps Riot Panel," *Atlantic City (NJ) Press*, Aug. 24, 1967, "Newspaper Clippings Related to Commission," Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

formal request to Ginsburg to view the “testimony and background information upon which it based its recommendations” on the National Guard.¹²⁹

On August 24 Lindsay was the keynote speaker for the convocation of the newly minted Urban Coalition, an organization co-chaired by Andrew Heiskell and A. Philip Randolph committed to “overcome citizen indifference, encourage interracial cooperation, and enroll national support until racial peace is a reality.”¹³⁰ The coalition had its roots in a National League of Cities meeting from the previous year and had formed officially, at the request of Lindsay and Mayor Joseph Barr of Pittsburgh, just days after President Johnson had established the Kerner Commission; it planned to focus on job training programs for the urban poor, involving the private sector more often in such programs. Reports indicated that Johnson was not pleased with Lindsay’s commitment to the coalition—he had told him directly to focus on his Kerner Commission duties, and the mayor had reportedly responded that the two organizations had differing, equally valuable objectives. In his keynote address in Washington, which included a reply from, among others, Roy Wilkins, Lindsay told an audience of over a thousand mayors and leaders of labor, civil rights, business, and religious groups that the nation’s top priority should be the cities, even if it meant reevaluating commitments in Vietnam and to the space program. “We routinely are dazzled by the trappings of new programs and then disappointed by their performance,” the mayor told those in attendance, concluding that “in short, we must close the gap between promise and

¹²⁹ Edward Hebert to David Ginsburg, Aug. 23, 1967, “August 10-August 29,” Box 1, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

¹³⁰ Anthony Presendorf, “LBJ, Lindsay, in Feud on Cities?” *New York Post*, Aug. 23, 1967, “Office of Congressional Relations-Clippings,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

performance.”¹³¹ In a memo that provided an overview of the Urban Coalition proceedings to each commissioner, Ginsburg stated that “what the coalition is concerned with is also a large part of this commission’s charge in terms of effects of poverty, decay, and isolation in major urban areas.”¹³²

If Johnson was concerned about his vice chairman tending to commission obligations, staff members of the commission were equally concerned about how the administration might react to future recommendations. In a memo to Califano, staffer Fred Bohen conceded that it would be “immensely difficult, if not impossible, to cut much ice with the [civil rights] strides made in the last few years...I think we have to be quite cautious in the way we cite the increased commitments in the Johnson era.”¹³³ Bohen recognized that the progress in the previous three years was, “relative to the needs, still clearly a modest effort,” and he acknowledged that “those who would be impressed...are also going to know how long the road is and how few steps have been taken.”¹³⁴ In addition to self-awareness at how its own suggestions might go over, the commission and its staff were also “extremely sensitive now to ‘railroading’ by the administration.”¹³⁵ Bohen claimed the White House wanted “the commission’s quick endorsement of hastily drawn reports and statements...I listened as almost every member expressed sensitivity ‘between the lines’ about serving as a rubber stamp.”¹³⁶ He also referred to Kerner “barely [getting] the watered-down statement which Lindsay

¹³¹ United Press International Press Release, “Lindsay,” No. 45, Aug. 24, 1967, “Honorable John Lindsay, Vice Chairman,” Box 2, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

¹³² David Ginsburg to Commissioners, “Emergency Convocation—Urban Coalition,” Aug. 30, 1967, “Central Files #2,” Box 1, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

¹³³ Bohen to Califano, “Meeting of Civil Disorders Commission,” Aug. 24, 1967, “Commission on Civil Disorders-1,” Box 11, Papers of Califano, LBJ Library, Austin, TX.

¹³⁴ *Ibid.*

¹³⁵ *Ibid*

¹³⁶ *Ibid*

subsequently killed” that required the Chairman to “ignore a delaying motion which had the votes to get what he got, however unsatisfactory it was,” but did not elaborate on specifics.¹³⁷ Only weeks after the commission had expressed its lofty goals, there was tension affecting its research and communications on the riots as well as fears that the White House might be machinating to undermine the final analysis.

By late August it was clear that the issues facing the Johnson administration did not have quick remedies. *Newsweek* took the president to task, declaring he was “still unable to communicate to the American people a sense of what the U.S. is doing in Vietnam.”¹³⁸ The magazine also accused Johnson of remaining passive on riots, saying, “instead of being seen on the ghetto battlegrounds this summer, he has repeatedly posed for pictures.”¹³⁹ As the public fretted over the war, the riots, and the scourge of higher taxes and higher deficits, there was an “ever-widening spectrum” of political opponents for Johnson, from the liberals who wanted massive federal aid to the ghetto to the conservatives who wanted him to get tough on rioters to those who despised his middling stance on Vietnam.¹⁴⁰ Republican support for the war waned, while at home, the “responsible civil rights movement” faced “a crisis for survival” amid slum violence that tested white America’s patience.¹⁴¹ In addition to the Kerner Commission, Vice President Humphrey asked governors to form statewide and local councils designed to prevent violence. Republican leaders suggested measures beyond the commission, including the GOP-sponsored Opportunity Crusade, a program to “use private industry and the states in

¹³⁷ Bohen to Califano, “Meeting of Civil Disorders Commission,” Aug. 24, 1967, “Commission on Civil Disorders-1,” Box 11, Papers of Califano, LBJ Library, Austin, TX.

¹³⁸ “The Presidency: A Failure of Communication,” *Time*, Aug. 25, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹³⁹ *Ibid.*

¹⁴⁰ *Ibid.*

¹⁴¹ “Civil Rights: End of the Road?” *Time*, Aug. 25, 1967, “Civil Rights,” Box 2, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

partnership with the federal government in the fight on poverty” and “a total overhaul and redirection of the Poverty War” to empower the qualified local community leaders rather than the wasteful ones.¹⁴²

Commission staff members discussed the need for good publicity as August came to a conclusion. Newly appointed Director of Information Alvin Spivak sent Ginsburg a memo stating, “my heart leaps at the suggestions of public hearings on Sept. 12,” adding that “the commission could use exposure of this kind to good advantage for itself and for the public.”¹⁴³ Spivak parsed out the pros and cons in his message; the proposed hearings would allow the commission to “establish itself publicly as seeking to get at the heart of the problem, rather than only looking at bigger and better methods of containment.”¹⁴⁴ This would benefit the commission, Spivak reasoned, given that it had offered only one public recommendation to date. Public hearings would “prove” to the urban poor that “someone is concerned about the root causes of riots.”¹⁴⁵ On the other hand, such hearings risked accusations of political motives and questions about why the conducted its business openly in the first six weeks. Spivak concluded that the pros outweighed the cons, and that public hearings with “proper preparation” would benefit the commission’s goals.¹⁴⁶

In Congress, Republicans went on the offensive again by linking Carmichael, Brown, and the specter of black radicalism with President Johnson “losing the war”

¹⁴² “Riot Commission is Not Enough,” *The Queens (NY) Voice*, Aug. 25, 1967, “Reaction: Pre-Report,” Box 5, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴³ Alvin Spivak to David Ginsburg, “Public Hearings, Pros and Cons,” Aug. 29, 1967, “Commission Staff Correspondence,” Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴⁴ *Ibid.*

¹⁴⁵ *Ibid.*

¹⁴⁶ *Ibid.*

against crime.¹⁴⁷ Gerald Ford said the White House “appears to be in full retreat...the homes and streets are no longer safe for our people.”¹⁴⁸ It was time, the House Minority Leader declared, to “slam the door and slam it hard” on Carmichael and Brown so that they would not “threaten law-abiding Americans with injury and death...never in our history have our people been so threatened.”¹⁴⁹ Ford reiterated his support for an anti-riot bill, receiving the backing of Senate Minority Leader Everett Dirksen. Deputy Attorney General Warren Christopher fired back at the GOP’s obstructionist strategy on crime control, noting that Republicans “talk about fighting crime, but...they’re too busy blocking stuff to get anything done...where are they when the chips are down?”¹⁵⁰ Authorities, meanwhile, sought to extradite Brown from Virginia to Maryland to face charges of inciting a riot and arson for his alleged role in the Cambridge, Maryland, riot, prompting a debate on “the right of free speech as against the advocacy of the overthrow of the government by force and violence.”¹⁵¹ On August 31 Kerner advisor Kyran McGrath and commission members Peden and Abel traveled to Cambridge, where they met with local officials and listened to a tape recording of the Brown speech that had allegedly sparked the July riot. The commissioners also met with Black Power leaders—who voiced their complaints about employment, housing, unequal pay, and police

¹⁴⁷ Robert C. Albright, “Dirksen, Ford Claim LBJ losing Crime War,” *The Washington Post*, Aug. 29, 1967, “Crime,” Box 2, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴⁸ “Ford Assails Brown and Carmichael,” *The New York Times*, Aug. 29, 1967, “H.R. Brown,” Box 2, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴⁹ Albright, “Dirksen, Ford Claim LBJ losing Crime War,” *The Washington Post*, Aug. 29, 1967, “Crime,” Box 2, Series 46, NACCD, RG 282, LBJ Library, Austin, TX; “Ford Assails Brown and Carmichael,” *The New York Times*, Aug. 29, 1967, “H.R. Brown,” Box 2, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵⁰ *Ibid.*; Albright, “Dirksen, Ford Claim LBJ losing Crime War,” *The Washington Post*, Aug. 29, 1967, “Crime,” Box 2, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵¹ Marquis Childs, “On H. Rap Brown and Free Speech,” *The Washington Post*, Aug. 29, 1967, “H.R. Brown,” Box 2, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

brutality—and profiled the political climate, educational system, and recreation facilities in Cambridge.

As the commission formulated plans for open hearings, it also set soft deadlines for disseminating a “first phase report” addressing topics such as police-community relations and the ability to prevent and control disorders.¹⁵² Commission Deputy Executive Director Victor Palmieri wanted the outline for such a report to go public by December 15. Palmieri described the date as crucial because it would allow Congress to look at the report before it reconvened in January; he told a colleague that it seemed “highly probable...that the major impact of our findings and recommendations will have to ride on the strength of this first report, because if we wait for the terminal date, which is next August, we may well have passed out of sight and the report may go in the shelf.”¹⁵³ The urgency of releasing guidance for the government and the public necessitated meeting the deadline and “establishing with some degree of certainty and clarity the actual facts concerning the disorders of this summer and...a meaningful interpretation of these facts and their relationship to the underlying economic and social problems.”¹⁵⁴ Ideally, Palmieri said, the analysis and interpretation from the report would “jolt the public mind.”¹⁵⁵

An article in the August 30 edition of the *Staten Island Advance* indicated that the White House had settled on “inadequate housing for African Americans living in the major cities” and “a widespread feeling among African Americans in the ghettoes that they are unfairly treated by local law enforcement officers” as the two primary motives

¹⁵² Victor Palmieri to Robert Shellow, “First Phase Report,” Aug. 30, 1967, “John Koskinen,” Box 3, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵³ *Ibid.*

¹⁵⁴ *Ibid.*

¹⁵⁵ *Ibid.*

for rioting.¹⁵⁶ Privately, Johnson disputed that the riots were related to unemployment and cited the confidential reports from Wirtz earlier in the month revealing that most of the rioters arrested had jobs. The article stated unemployment needed addressing, just not as one of the instigators for what had happened in Newark, Detroit, and elsewhere in America. President Johnson also wanted Democratic Congressional leaders to “push his new housing and anti-crime proposals.”¹⁵⁷ If Johnson was seeking ways to avoid increasing spending, the results of the confidential survey buoyed his wishes. A month prior, he had requested a thorough and forthright report from the Kerner Commission; now, his stance on housing—not unemployment—as the primary cause of rioting was leaked to the public, foreshadowing a divide between the administration and the commission that only worsened in the coming months.

On the final day of the month, Palmieri sent Ginsburg a comprehensive memo reviewing the commission’s accomplishments from the last half of August and stating its intended goals for the first half of September. He candidly wrote that the hearings with Newark and Detroit officials were “time-consuming and not very productive in terms of evidence, but necessary.”¹⁵⁸ A primary objective before the end of the year was to “develop a plan for the hearings through the end of the year” based on “our conception of the initial report.”¹⁵⁹ Palmieri said staffers hoped to have a definitive plan by September 12, and that the report would include thorough details, analysis, and recommendations on how to avoid future violence for each city’s disorder. The commission intended to

¹⁵⁶ Robert S. Allen and Paul Scott, “LBJ Pins 2 Riot Causes, Pushes Home-Buying Aid,” *Staten Island (NY) Advance*, Aug. 30, 1967, “Correspondence-Informative,” Box 2, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵⁷ *Ibid.*

¹⁵⁸ Victor Palmieri to David Ginsburg, “Review of Last Half of August, Objectives for First Half of September,” Aug. 31, 1967, “Victor Palmieri #1,” Box 3, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵⁹ *Ibid.*

profile each city's social and demographic characteristics, each riot's participants, and each sequence of events, followed by a list of causative factors and proposed immediate action programs going forward. It also needed to figure out how to divide research and investigating disturbances; Palmieri wanted three investigative teams by mid-September, two more by October 1, and for all teams to complete travel, briefing, and debriefing by November 1. By December 1, he wanted all analytical, interpretive and assigned studies, followed by two weeks for editing and rewriting, then allotting 30 days for production and printing. Four recommendations were offered to meet such a tight schedule: "(1) be more efficient than we have been so far (by 200 pct) (2) be tough about restricting the scope of the initial report, (3) be oblivious of anything other than the initial report and (4) be very lucky."¹⁶⁰ Palmieri also pressed for the need to "discuss the commission's work with the individual commissioners."¹⁶¹

There was also the matter of how an interim recommendation might play with the president and the commission's public image. "All the polls shows a unique level of public acceptance for employment programs and...this proposal could find quick acceptance despite the difficult budget situation in Congress," Palmieri wrote, adding he wanted to "urge that it could make a most important difference to the President in terms of public reaction."¹⁶² The commission needed to establish credibility in neighborhoods and the academic community as well, he argued. Lastly, Palmieri expressed concern over the commission's budget in the coming months. He described the situation as "serious for several reasons," most notably that "no one in the administration is in a position to do

¹⁶⁰ Palmieri to Ginsburg, "Review of Last Half of August," Aug. 31, 1967, "Victor Palmieri #1," Box 3, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁶¹ *Ibid.*

¹⁶² *Ibid.*

anything about it.”¹⁶³ The only response from White House officials on the budgetary issue was to “suggest that we use our wits to see to it that a major part of our cost is carried by the agencies...what agencies, or how this can be accomplished in a way that would meet our needs, is not clear to anyone.”¹⁶⁴ Palmieri ended his memo with the ominous thought that the commission might “be heading for more of a problem than anyone is willing to concede on funding.”¹⁶⁵

As the Kerner Commission completed its first full month of operations, pressure to issue a timely, coherent report mounted. The economy remained in disarray, the Vietnam War and its proponents grew less popular by the day, polls showed that many white Americans had regressive racial views following the riots, black militant patience for the dawdling pace of civil rights progress had worn thin, and Republicans and Democrats were determined to undercut one another’s statements on disorders at every turn. None of this turmoil even broached the challenge of Johnson and an administration already wanting to control the commission’s message and privately voicing concerns at what the commissioners might find, or the differences of opinion within the body itself that might inhibit finding causes and solutions. By the end of August it was obvious that Harris’s concern over the commission’s fleeting relevancy was unfounded; the bigger issue was how to navigate a volatile political climate where every quotation or statement on riots would be contested and release a salient final product that would offer workable suggestions rather than lip service to abstract ideas. It was a staggering ask of a

¹⁶³ Palmieri to Ginsburg, “Review of Last Half of August,” Aug. 31, 1967, “Victor Palmieri #1,” Box 3, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁶⁴ *Ibid.*

¹⁶⁵ *Ibid.*

commission whose members could count the number of times they had met in the same room on two hands.

September 1967

The slick, red-and-black magazine advertisement had copy and images as if it were hawking a luxury car to its reader. “Stop the riot before it gets out of hand,” the tagline said. The vehicle, a Bauer Ordinance Armored Police Car, boasted a water cannon, a flame thrower, a grenade launcher, a 360-degree turret for mounting a machine gun, and the ability to stop rifle bullets at point blank range. Designed by the same people who constructed tanks for Vietnam, the cars could “be used to control riots or just patrol the tough districts.”¹ They could also, according to the ad, “mark the troublemakers with dyes, break up crowds with smoke, clear the streets with fire, protect the lives of your police, put out the small fires with fog or foam, keep the crowds away with electricity, and drive the snipers out of hiding with teargas grenades.”² This was America in 1967, a nation where a customized riot vehicle designed by those responsible for engineering war machines was marketed to law enforcement like a Corvette. Bauer’s product was an asset, a means of keeping the peace and maintaining law and order. It offered reassurance to law enforcement and, as a result, to those fearful of more disorders. The commercialization and marketing of a weaponized vehicle fit for Saigon or Berlin for use in American inner cities was unsettling to say the least; it provided little recourse for those denying that what had unfolded in previous months was domestic warfare.

“The emotional uplift attendant upon the Civil Rights Act of 1964 and the Voting Rights Act of 1965 gave way to disillusionment and resentment when it became clear that the recognition of rights did not mean any substantial increase of opportunities,” the

¹ Bauer Ordnance, “Riot Control Equipment,” Advertisement, September-October-1967, “Press Releases,” Box 3, Series 15, Records of the National Advisory Commission on Civil Disorders, Record Group 282, Lyndon B. Johnson Presidential Library, Austin, Texas.

² *Ibid.*

Labor Day statement from the United States Catholic Conference read.³ The statement, issued by the conference's Social Action Department, discussed the reasons behind the rioting in America; it emphasized a breakdown in communication between white and black Americans and legislation that was "stronger in promise than fulfillment."⁴ The social and economic progress in recent years was substantial, but long-term problems related to unemployment, housing, and police brutality remained unsolved. The Catholic Conference also made recommendations, calling on public support for the Kerner Commission, a commitment by the media to "probe and report in depth the underlying causes of anguish in the ghetto," and an increased effort to "reach understanding across racial and economic lines."⁵ Rather than "stop-gap palliatives rushed out each spring" in an effort to quell summer tensions preemptively, the country required solutions to break the "vicious cycle" of urban riots and suburban fears.⁶

On the heels of the summer riots, liberals found themselves the target of critiques from both civil rights activists and a burgeoning conservative coalition. The former group felt the Johnson administration had rested on its Great Society laurels amid persisting insufficient conditions in the inner city, while the latter targeted the riots as an indictment of Johnson's entire domestic agenda. Billions of dollars flowing into Vietnamese jungles also complicated the issue. One side wanted even more government funding to see social welfare commitments through, while the other believed widespread bloodshed on ghetto streets signified misguided policy that needed no further action given other pressing

³ "Labor Day Focuses on Race Relations," 1967 Labor Day Statement, Social Action Department, United States Catholic Conference, Sept. 1, 1967; enclosed in letter from Alvin Spivak to David Ginsburg and Victor Palmieri, Oct. 2, 1967, "Correspondence-Informative," Box 2, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁴ *Ibid.*

⁵ *Ibid.*

⁶ *Ibid.*

commitments. Republicans and southern Democrats in Congress had steadfastly rejected increased social welfare funding following the riots, prompting Johnson to defend his administration's record. On the other side, as the Labor Day statement had alluded to, civil rights activists ranging from frustrated Johnson liberals to Black Nationalists believed that the commitment to social welfare had sputtered. Combined with an unpopular war, plummeting approval ratings, a lingering reluctance to increase spending, and whispers as to whether he might be vulnerable in the upcoming presidential election, President Johnson faced an unnerving political climate from all directions as the fall approached.

The Catholic Conference was not alone in noting the psychology behind riots. Its Labor Day statement noted that psychologists “tell us that violence is often a form of blind protest, a desperate attempt to call attention to an intolerable situation.”⁷ Martin Luther King Jr. spoke to the American Psychological Association and argued that looting “enables the most enraged and deprived Negro to take hold of consumer goods with the ease the white man does by using his purse...Often the Negro does not want what he takes; he wants the experience of taking.”⁸ He further described riots and looting as “born of the greater crimes of white society...Negroes live in [ghettoes] but do not make them any more than a prisoner makes a prison.”⁹ President Johnson and Congress were making “an extravagant gamble with disaster” by offering only “trivial programs” to aid urban

⁷ 1967 Labor Day Statement, U.S. Catholic Conference, Sept. 1, 1967; enclosed in letter from Spivak to Ginsburg and Palmieri, Oct. 2, 1967, “Correspondence-Informative,” Box 2, Series 39, NACCD, RG 282; LBJ Library, Austin, TX.

⁸ Willard Clopton Jr., “Psychologists Hear Dr. King Explain Riots,” *Washington Post*, Sept. 2, 1967, D12; “Articles (Magazines, TV, Radio, etc.)”; Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

⁹ *Ibid.*

slums despite widespread public support for more substantive measures.¹⁰ King called for a comprehensive jobs program reminiscent of the Works Progress Administration of the 1930s. An article in a leading medical publication led with the headline, “Is Mass Violence an Epidemic Disease?” and discussed a study in affiliation with the National Institute of Mental Health to examine “predictors” of riots.¹¹ The study broke riots down into four crucial phases and identified “lack of jobs, poor housing, and the failure of local officials to solve these problems” as the three areas of dissatisfaction for the urban poor.¹² As the Kerner Commission prepared to assemble and hear testimony from expert witnesses all month, the public statements on the psychology of riots and rioters reflected the complexity of the riots and their aftermath; in addition to determining causes and solutions, the commission needed to avoid an uncritical stance that might characterize violence as mindless or ghetto residents as passive subjects whose struggles and reasons for rioting did not warrant thorough examination.

Statistics compiled by the Department of Labor reinforced the significance of unemployment among African Americans in the slums. According to a *Washington Post* article from September 5, employment in America was at an all-time high, but African American employment was at an all-time low. In nine major cities, black unemployment registered at 9.4 percent; when classified as “under-employed,” the figure rose to a staggering 33.9 percent, including “48 percent in some areas of Chicago, 34 percent in

¹⁰ United Press International, “137-King,” news release, Sept. 1, 1967, “SCLC,” Box 6, Series 24, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹ “Is Mass Violence an Epidemic Disease?” *Medical World News*, Sept. 1, 1967, “Reaction: Pre-Report,” Box 5, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹² *Ibid.*

Los Angeles's Watts District, and 36 percent in Philadelphia.”¹³ The article examined how the Great Migration of millions of African Americans from the rural South to the urban North in the mid-twentieth century had resulted in overcrowded cities with untrained workers; when whites fled city centers for the suburbs, so too did many industrial parks and employment opportunities, leaving African Americans either unemployed or forced to make expensive commutes. While joblessness did not have one underlying cause, it was “so much worse than it is in the country as a whole that national measurements of employment are irrelevant...the dismaying reality is that hardly a dent has been made in Negro unemployment on the national level.”¹⁴

Accompanying the joblessness in American ghettos was lawlessness on the part of police officers, according to David Ginsburg. In a memo to commissioners dated September 5, 1967, Ginsburg referred to a study within the President's Commission on Law Enforcement and Administration of Justice, known informally as the Crime Commission, where observers rode in police cars in Boston, Washington, DC, and Chicago to observe the types of complaints that came in while on patrol. Although the study was not designed to expose police brutality, Ginsburg noted there were “21 unequivocal instances of brutality” and a “20 percent level of dishonesty” among officers.¹⁵ Ginsburg characterized the study, led by University of Michigan sociology professor Albert Reiss, as “an extremely important source” but said “whether Reiss will

¹³ Henry P. Leifermann, “Employment Hits Peak, But More Negroes Are Jobless,” *The Washington Post*, Sept. 5, 1967, A4, “Press Releases and Transcripts (Chronological),” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴ *Ibid.*

¹⁵ David Ginsburg to Commission, “Police Community Relations,” Sept. 5, 1967, “Central Files,” Box 1, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

be willing to undertake comparable work for us is another matter.”¹⁶ He added that many police chiefs knew about the study and “are unlikely to be cooperative again...what Reiss made clear is the extent of lawlessness among police in certain of the ghetto areas.”¹⁷

Within the framework of law and order and improving police-community relations, brutality and abuse of power had not been mentioned much since the commission’s inception; the executive director indicated he was interested in examining it further, even if it unmasked some uncomfortable truths.

As the commission entered its second full month, interoffice memos indicated that staff was monitoring how the press reacted to its every move. Alvin Spivak’s message to Ginsburg said the editorial reaction to the commission’s work “had been spotty and, as the theater critics say, mixed.”¹⁸ He offered a litany of articles from August, mined mostly from op-ed pages, that gave varying opinions on the commission, its decisions, and whether it could offer sound, pragmatic opinions in the present political climate. Some believed the commission had displayed “splendid common sense” with a “refreshingly swift and perceptive” plan on the National Guard, while others cast doubt on the “Fourth of July oratory” in the opening speeches and whether commissioners might be willing to veer from platitudes and criticize the administration that appointed them.¹⁹ Spivak did not offer additional comments on the editorials, but the mixture of hope and skepticism was evident, if not necessarily groundbreaking; everyone involved with the commission knew the stakes.

¹⁶ Ginsburg to Commission, Sept. 5, 1967, “Central Files,” Box 1, Series 37, NAACD, RG 282, LBJ Library.

¹⁷ *Ibid.*

¹⁸ Alvin Spivak to David Ginsburg, “Editorial Reaction,” Sept. 5, 1967, 1, “Spivak, Alvin,” Box 9, Series 46, NAACD, RG 282, LBJ Library, Austin, TX.

¹⁹ *Ibid.*, 6; 5; 2.

A report in the *Congressional Quarterly* on September 6 conveyed that political reaction to the riots was mixed as well. The poll, sent to all members of Congress, all 50 governors, and 421 mayors, received responses from 41 senators, 227 representatives, 16 governors, and 130 mayors. Overall, the 414 respondents to the poll—comprised of 23 questions, 13 on riot causes, 10 on riot solutions—cited unemployment as the primary cause for rioting. Divides between responding members of Congress were predictable; the poll offered tables categorizing Congress as northern Democrats, southern Democrats, and Republicans, respectively. As expected, northern Democrats and Republicans tended to point to joblessness as a major problem and cause of riots, while southern Democrats touted outside agitators in the same category. Of the 57 southern Democrats who responded, 36 claimed outside agitators were “of great importance,” a sentiment shared by 69 of 123 Republicans polled and just 14 of 88 northern Democrats.²⁰ A “lack of responsibility” was mentioned among 122 members of Congress, with some blaming leaders like Robert Kennedy and Martin Luther King Jr. for encouraging disobedience.²¹ Some also referred to the “failure of government to fulfill civil rights promises and succeed in the eradication of poverty.”²² Rep. Charles Wiggins, a Republican from California, commented, “blame can properly be placed upon the rioter, but blame can also be placed on those who lavish irresponsible promises upon a group which hungers for a better life.”²³ Rep. Tom Gettys, a southern Democrat from South Carolina,

²⁰ “Special Report: Congress, Governors, Mayors, Polled on Riots,” *Congressional Quarterly*, Sept. 6, 1967, 1-6, “Political Structure,” Box 3, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

²¹ *Ibid.*

²² *Ibid.*

²³ *Ibid.*

emphasized the need for “individual responsibility” and “protecting rights of majorities rather than minorities.”²⁴

Responses also differed across party lines when it came to providing federal aid and addressing social and economic issues. On the question of attributing riots to insufficient federal aid, education, and job training, 49 percent of northern Democrats described these issues as playing an important role, whereas only 6 percent of southern Democrats did the same. A “white indifference to Negro needs” was touted by 43 percent of northern Democrats as a significant factor, in comparison with just 11 percent of southern Democrats. Republican respondents, on the whole, tended to fall somewhere between northern and southern Democrats in their answers.²⁵ On one hand, 65 percent of Republicans citing a “lack of responsibility among Negroes” and 69 percent blaming outside agitators mirrored responses of Dixiecrats; however, Republicans also assigned great importance to the issue of joblessness and idleness among African Americans—75 percent responded it was significant, closer to the 73 percent of northern Democrats in agreement with this notion than the 29 percent of southern Democrats.²⁶ With regard to neglecting broad social and economic issues in the slums, 31 percent of Republicans placed great importance, compared to 54 percent of northern Democrats and 15 percent of southern Democrats. The GOP also offered harsher answers on questions related to “poor administration of existing programs”; 51 percent felt this was a significant issue, in contrast with just 15 percent of northern Democrats and 12 percent of southern

²⁴ “Congress, Governors, Mayors, Polled on Riots,” *Congressional Quarterly*, Sept. 6, 1967, 1-6, “Political Structure,” Box 3, Series 25, NAACD, RG 282; LBJ Library, Austin, TX.

²⁵ *Ibid.*

²⁶ *Ibid.*

Democrats, respectively.²⁷ Only 4 percent of Republicans agreed with a “massive Marshall Plan for the cities, using federal funds,” compared to 50 percent of northern Democrats and 7 percent of southern Democrats.²⁸ Northern Democrats called for “greater state and local efforts,” while 97 percent of Republicans polled favored an “emphasis on traditional church and family values,” 77 percent supported “greater penalties for rioting,” and 88 percent supported more private sector involvement.²⁹ On the subject of Vietnam, a resounding 84 percent of those polled believed that urban riots undermined support for the war. Among the 16 governors who responded to the survey, most cited joblessness as a primary reason for rioting. On the whole, the governors favored private sector involvement more than increased federal aid. Unsurprisingly, governors tended to favor block grant funding for states, while mayors polled favored a domestic Marshall Plan that would directly benefit cities. Mayors of smaller cities (the poll distinguished between mayors of cities with a population under 50,000, cities with a population between 50,000 and 250,000, and cities with a population over 250,000 respectively) skewed more conservative, pointing to outside agitators, whereas mayors of large cities honed in on jobs.

Congressional Quarterly did not offer extensive analysis of the results of its wide-ranging survey, but the answers made the Johnson administration’s precarious position quite clear. Democratic in-fighting that had plagued the party for decades found southerners—who had been at odds with their northern colleagues over integration and federal spending since the New Deal—alluding to familiar Communist adversaries and

²⁷ “Congress, Governors, Mayors, Polled on Riots,” *Congressional Quarterly*, Sept. 6, 1967, 1-6, “Political Structure,” Box 3, Series 25, NAACD, RG 282; LBJ Library, Austin, TX.

²⁸ *Ibid.*

²⁹ *Ibid.*

expressing more concern for law and order than meeting inner-city needs. Many of the same southern Democrats who had opposed *Brown v. Board of Education* and signed the Southern Manifesto in the 1950s remained in Congress; some had voted against the Civil Rights Act of 1964 or accepted it begrudgingly. Riots in northern Democratic cities with strong voter bases that had received substantial federal aid in recent years thus offered a chance to gain political leverage against both President Johnson and the liberal agenda. In the minds of southern conservatives, the riots illustrated the flaws of overreliance on government as well as the decline of moral values and respect for law and order in 1960s America. Along these same lines, Republicans focused on the “poor administration of existing programs” with their own political interests in mind; the presidential election was just over a year away, and as the rift between Romney and Johnson had shown, speculation on Republican challengers to the White House had already begun.³⁰

Congressional Quarterly noted the opportunity for Republicans to win over some Democrats in the North—particularly white, urban voters—by falling back on calls for law and order. Conversely, some of Johnson’s staunchest allies, the northern Democrats instrumental in propelling forward the Great Society, indicated a preference for the kind of “domestic Marshall Plan” put forth by Vice President Humphrey, a course the president had no real interest in pursuing. Johnson’s dilemma was obvious; two of the groups classified in the CQ survey believed he had already failed, while the third offered a path to success, in the form of massive hikes in federal spending, which he was determined to avoid.

³⁰ “Congress, Governors, Mayors, Polled on Riots,” *Congressional Quarterly*, Sept. 6, 1967, 1-6, “Political Structure,” Box 3, Series 25, NAACD, RG 282; LBJ Library, Austin, TX.

Behind the scenes, the commission—which had made a request to the White House to “allocate \$100,000 from the Emergency Fund to the commission to take care of immediate cash problems”—faced a tight schedule to gather information and provide an interim report.³¹ Plans called for staff and researchers to be “in the field” in individual cities by September 15, draft city reports by November 1, and offer up an interim report to commissioners by November 15. Field operations in 25 cities would consist of a fact-finding team—comprised of a team leader and five staffers each—arriving in the city and dividing into three groups. One group would interview members of local government, a second group would interview residents in riot areas, and a final group would interview members of the private sector. Each team would also conduct follow-up interviews of its subjects; staffers were to incorporate this material into city reports as part of the broader interim report. Ginsburg reminded staffers of the importance of confidentiality in handling commission data and information; all material was for official purposes only, and staffers were not authorized to make statements or disclose policies to the media without first receiving permission from superiors.

With George Romney slated to testify before the commission on September 12 and 13, the spotlight returned to Detroit once again. A week prior to his appearance in Washington, Gov. Romney resumed his criticism of the president at the Midwestern Governors Conference in Lake Ozarks, Missouri. “I think everything President Johnson does is done on a political basis,” Romney told reporters, adding that Johnson was “a

³¹ Charles Schultze to Lyndon B. Johnson, “Allocation of ‘Emergency Fund’ Appropriations to the National Advisory Commission on Civil Disorders,” Sept. 7, 1967, “Commission on Civil Disorders-1,” Box 11, Office Files of Joseph A. Califano, Jr.; LBJ Library, Austin, TX.

political animal.”³² Kerner, who also attended the conference, offered a contradicting account as to whether Romney had agreed to testify before the commission the following week and told the press he disagreed with the governor’s partisan attacks.

Critiques of Washington came from within commission ranks as well, as Mayor Lindsay again made headlines with a blistering speech before the National Commission of Urban Problems in New York. President Johnson had founded the commission in January 1967 as part of the Housing and Urban Development Act, hoping it could “provide knowledge that would be useful in dealing with slums, urban growth, sprawl and blight, and to insure decent and durable housing.”³³ In his speech, Lindsay took the federal government to task, saying that HUD had not yet made New York City available for Model Cities program funding and thus demonstrated that “once again...the bureaucracy has met the rising expectations of the poor, the ill-housed, and the oppressed with the empty rhetoric of promises and pledges.”³⁴ The Model Cities program sought to “provide cities with unrestricted grants to combat problems of physical blight, health, education and welfare in selected poor neighborhoods.”³⁵ If New York did not receive the funding, he said, “all the wind in Washington cannot fill the bag the mayors will be left holding.”³⁶ The mayor also criticized federal regulations that made existing programs “virtually useless,” citing a \$20,000 cap on individual public housing in the most

³² Joe Fisher, “Gov. Kerner, Romney in Riot Spotlight,” *Danville (Ill.) Commercial News*, Sept. 7, 1967, “Otto Kerner,” Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

³³ U.S. Congress, House, *Building the American City: Report of the National Commission on Urban Problems to the Congress and to the President of the United States*, Dec. 19, 1968, 91st Cong., 1st sess., 1969, H. Doc. 34, Preface.

³⁴ Steven V. Roberts, “Mayor Charges U.S. Scrimps on City Aid,” *The New York Times*, Sept. 8, 1967, “John Lindsay,” Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

³⁵ *Ibid.*

³⁶ *Ibid.*

expensive real estate market in the country as an example.³⁷ He acknowledged that bureaucratic gridlock was sometimes inevitable but that the delays in securing federal aid were unacceptable. While there is no archival evidence of how Johnson or his inner circle reacted to Lindsay's speech, it certainly did not help the already contentious relationship between the president and the mayor. Johnson had grown accustomed to his political rivals employing "failed promises" rhetoric, but having his handpicked vice chairman of a prominent committee say such things was another matter.

Lindsay was not the only commissioner to speak candidly about Johnson. Edward Brooke described the president as "vulnerable on many scores" and predicted that if Republicans chose the right candidate, "I think we can win in 1968...I don't think an extreme conservative or extreme liberal can win in this country."³⁸ The Massachusetts senator also urged the public to pay attention to "responsible Negro leaders" rather than Stokely Carmichael and Rap Brown.³⁹ Speaking on a radio program, Brooke added that the emphasis "should be placed on the great, great majority of people in the Negro community who merely want improved conditions, who want government to respond responsibly to their needs and who at the same time recognize the need to help themselves."⁴⁰ His remarks came after reports that he had visited Harlem and had "held his own" with radicals who were critical of his marriage to a white woman and believed he was afraid to set foot in the slums.⁴¹ Brooke had also authored a piece in *Life* magazine in which he called for maintaining law and order but held the federal

³⁷ "Mayor Charges U.S. Scrimps on City Aid," *New York Times*, Sept. 8, 1967, "John Lindsay"; Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

³⁸ "Brooke Says Focus on Wrong Negroes," *The Boston Morning-Globe*, Sept. 11, 1967, "Newspaper Clippings Related to Commission," Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

³⁹ *Ibid.*

⁴⁰ *Ibid.*

⁴¹ "On the Line in New York with Major Robinson," *New Pittsburgh Courier*, Sept. 9, 1967, "Edward Brooke," Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

government accountable for “indifference, inaction, and delay” that led to “the atmosphere for violence.”⁴² He discounted the idea that riots were tied to communism or conspiracy, pointing instead to poverty and a nationwide “failure to identify and treat the conditions that lead to these tragic consequences...we have achieved neither the promise nor the principle.”⁴³ The Kerner Commission, Brooke wrote, had the opportunity to be “a symbol, a tangible demonstration, that the United States government is actually and actively concerned...it can give hope to those who have given up hope that their government can and will help them.”⁴⁴ He also criticized congressional inaction and expenditures in Vietnam and called on addressing poverty because “it is morally and legally right.”⁴⁵

Conservative critiques of President Johnson and his handling of the riots continued as well. The famously right-leaning John Birch Society rescreened a film called “Anarchy USA” in New Jersey in light of the Newark riots. Originally released in 1965, the 72-minute film argued that Soviet Communists encouraged African American civil rights advocates to riot, hoping to expose the civil rights movement as a Communist front whose achievements catered to America’s Cold War enemy. While the film conceded that African Americans had honest grievances, it lamented their role in a “Communist enslavement” plot.⁴⁶ Society members described the film as “highly informative and eye-opening.”⁴⁷ A separate editorial took Johnson to task for shirking his responsibilities to maintain law and order or stop liberal clergy from participating in

⁴² Edward Brooke, “Where Do We Go?” *Look*, Sept. 5, 1967, 25-27, “Honorable Edward W. Brooke,” Box 1, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

⁴³ *Ibid.*

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

⁴⁶ Thom Akeman, “Birchers Warn on Race Riot,” *Elizabeth (NJ) Journal*, Sept. 12, 1967, “Correspondence-Informative,” Box 2, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁴⁷ *Ibid.*

illegal civil disobedience. Johnson was using the riots, it continued, to salvage flailing Great Society programs; Americans wanted law and order and accountability for wasteful spending. Instead, it had commissioners who would likely recommend “vast increases in government anti-poverty spending” due to a belief that “backward people and the ending of public discipline problems can be solved by massive federal expenditures.”⁴⁸ It concluded that Johnson would likely “feel the sting of a real law and order backlash if he persists in trying to end street revolution by bowing to the blackmail of Negro militants.”⁴⁹ A letter to Kerner along the same lines warned him not to “think that because Barry Goldwater was so badly defeated that the nation can have all sorts of liberalistic legislation imposed on us without any protest...we are still a conservative nation at heart.”⁵⁰

As the commission prepared to resume witness testimony in Washington, the annual Southern Governors Conference convened in Asheville, North Carolina, from September 10 to September 13. Among the primary topics of discussion at the conference was why the South had mostly avoided a bloody summer as the North struggled with violence, given the endless headlines the South and its racial issues had garnered earlier in the decade. The regional transformation, according to a *U.S. News and World Report* article, was so marked that Johnson had “sent investigators around, seeking to learn why the South has been mostly peaceful while the North has been shuddered under racial violence in 1967.”⁵¹ Governors present attributed the reversal to the South having more

⁴⁸ Editorial, “LBJ and the Riots,” *Dover (NH) Foster’s Democrat*, Sept. 12, 1967, “Correspondence-Informative,” Box 2, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁴⁹ *Ibid.*

⁵⁰ Orlando Ciolfi to Otto Kerner, Sept. 22, 1967; “C-Cl,” Box 3, Series 28, NACCD, RG 282, LBJ Library, Austin, TX.

⁵¹ “On a Racial Front: A Quiet South and a Troubled North: Why,” *U.S. News & World Report*, Sept. 25, 1967, 76, “Political Structure,” Box 3, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

stable populations and less urban congestion as well as maintaining a “stern line that law and order must prevail.”⁵² Furthermore, the Great Migration had left many “lacking any sense of personal identification with their surroundings,” a sentiment that bred frustration and violence.⁵³ In the South, the article argued, state leaders sought to minimize bold promises while improving race relations as well as educational and job opportunities for African Americans. Tennessee Governor Buford Ellington proclaimed that “civil rights is a dead issue in our state...ninety-eight percent of the Negroes are satisfied that we are trying to help them, and they are aware that these things won’t be done overnight.”⁵⁴ Others fell back on law and order rhetoric, with Louisiana Governor John McKeithan going so far as to say it was “the most important issue we’ve got to deal with...anyone who doesn’t take a stand on it in the presidential race is going to be beaten.”⁵⁵

The governors were undoubtedly overstating just how ameliorative the racial climate was in the South, but according to the report, “no governor was smug about it,” with one surmising, “perhaps we’ve just been lucky.”⁵⁶ Kentucky Governor Edward Breathitt believed the disparity finally put to rest the notion that racial tension was exclusive to the South, a perception that had lingered for a decade. “This, of course, is no longer true, and it’s getting less true all the time,” Gov. Breathitt said.⁵⁷ Absent from the proceedings was Alabama firebrand George Wallace, who was tending to his wife as she received cancer treatment. With reports that Wallace intended to run for president the following year, governors were noncommittal about supporting him but speculated that

⁵² “On a Racial Front,” *U.S. News & World Report*, Sept. 25, 1967, 77, “Political Structure,” Box 3, Series 25, NAACD, RG 282, LBJ Library, Austin, TX.

⁵³ *Ibid.*

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

he could win several states. On the whole, the Democratic governors expected Wallace, who had not yet spoken publicly on the rioting but offered scathing attacks on liberalism and the federal government in the past, to hurt Republicans more than Democrats, though they conceded that Californians Richard Nixon and Ronald Reagan would not be as affected. Arkansas Governor Winthrop Rockefeller, a Republican, declared that “only extremists in both parties” would vote for Wallace.⁵⁸

Officials at commission headquarters took inventory of its progress and goals going forward. In a September 12 memo to Ginsburg, Palmieri restated the commission’s basic objectives and basic methods while providing an update on staff activity and the timeline for completing an interim report. Objectives included answering the president’s questions, giving guidance to officials at all levels on preventing violent outbreaks, making recommendations for social and economic action programs, and “focusing the attention of the American people—particularly the suburban white population—on the critical issues presented by the riots.”⁵⁹ The methods, as Palmieri restated them, were staff studies and investigations on selected cities, surveys of previous research studies from scholars and new surveys when necessary, hearings with expert witnesses, and two basic reports to the president—one in the interim for December 15, 1967, and a final iteration for the following August. While listing the staff activity to date, he also listed components of the proposed interim report, including a profile and analysis of riots in each city, attitude surveys, a section on police-community relations, and a media effects report, among other sections. The timeline called for individual riot scenarios and social

⁵⁸ “Wallace Race in ’68—As Governors See It,” *U.S. News & World Report*, Sept. 25, 1967, 77, “Political Structure,” Box 3, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

⁵⁹ Victor Palmieri to David Ginsburg, Sept. 12, 1967; “Commission Meeting”; Box 1, Series 31, NACCD, RG 282, LBJ Library, Austin, TX.

and economic action program surveys by November 1, a draft report by December 1, and a draft approved for submission to Johnson by December 15. Palmieri concluded his memo with a set of questions described as “prime issues”:

How does commission see itself and its role? Does it understand scope and effort in terms of investigation, research, and hearings? Does commission understand the December 15 deadline implies concert of view in basic approach and tone? Does commission understand scope of commitment in terms of their own time? Does commission accept idea that many hearings need to be public?⁶⁰

While the memo only went to the executive director’s desk, it served as a reminder of the scope and complexity of the Kerner Commission’s report. It also reflected how officials grappled with reaching its intended audience and what, specifically, it was supposed to convey to that audience. Behind the scenes, the commission remained resolute if not also a bit unsure of itself, a fluid, high-stakes work-in-progress even as it projected confidence and ambition to the general public. Later in the month, staffers would broach the subject of using a professional advertising agency to “sell” the commission’s work to the public. “With all the work that has been done by advertising agencies and advertising media to influence people to do something, it seems like something of this sort might be applicable to the work of the commission,” one memo read.⁶¹

Romney arrived in Washington to testify in a private hearing on September 12, accompanied by his legal advisor and several law enforcement officials from Michigan. As the commission concluded hearings with expert witnesses from Detroit and Newark, it would also delve into African American history by calling on experts to testify and expand on historical, social, psychological, and economic factors that informed the black

⁶⁰ Palmieri to Ginsburg, Sept. 12, 1967, “Commission Meeting,” Box 1, Series 31, NAACD, RG 282, LBJ Library, Austin, TX.

⁶¹ Paul Bower to Victor Palmieri, “Selling the Work of the Commission,” Sept. 27, 1967; “Central Files,” Box 1, Series 37, NAACD, RG 282, LBJ Library, Austin, TX.

experience in America. Witnesses included Lerone Bennett, senior editor at *Ebony*, Vivian Henderson of Clark University in Atlanta, and renowned sociologist Kenneth Clark. Romney's testimony, which lasted three-and-a-half hours behind closed doors and included a 4500-word prepared statement with all commissioners present, reiterated claims he had made weeks earlier that Attorney General Ramsey Clark had assured him that an oral request for troops was enough to bring federal troops to Detroit. The governor said he wished to focus on how the state responded more than his public disagreement with Clark; he recalled that by the time troops arrived, however, much of the damage had already been done. Romney also maintained that "the enormity of the trouble area and the fact that this was not a riot confined to one area was beyond dispute...I always believe that Detroit got out of hand as a result of action that was too little, too late."⁶² He told commissioners he wanted the nation to learn from the shortcomings in responding to the Detroit riots and warned of the dangers of guerilla warfare. "The seeds of revolution have been sown in America more by our own failures and shortcomings than ideology," Romney declared.⁶³ He was unsparing in his criticism, claiming that "too few whites know Negroes and too few Negroes know whites...too many people believe that by moving to the suburbs they have escaped the problems of the ghettos."⁶⁴ Romney also criticized African Americans for being "supersensitive about race to the point of defending those guilty of violating the law" and white America for its failure to "give

⁶² "Romney Hits Clark Again in Detroit Riots Report," *Lowell (MA) Sun*, Sept. 12, 1967, "Newspaper Clippings Related to Commission," Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX; Tom Shawver, "Riot Control," *Detroit Free Press*, Sept. 13, 1967; Box 1, Series 15, NAACD, RG 282; LBJ Library, Austin, TX.

⁶³ "Riot Control," *Detroit Free Press*, Sept. 13, 1967, Box 1, Series 15, NAACD, RG 282; LBJ Library, Austin, TX.

⁶⁴ *Ibid.*

adequate support to constructive militant Negro leadership.”⁶⁵ While warning of a racial holocaust if things did not change, Romney also urged a climate “devoid of insincere of unrealistic promises.”⁶⁶

As Romney testified in Washington, Cyrus Vance’s official report on Detroit was released, a move Romney staffers viewed as an attempt by the White House to upstage the governor’s visit. One article noted that the “political implications of Romney’s criticism were clearly regarded as important enough, in the context of the 1968 campaign, that the administration decided it was time to try and refute him, once and for all, with an overwhelming array of facts and figures.”⁶⁷ As evidence that the White House had clearly not planned on releasing Vance’s report quite yet, the author pointed to the fact that there were no copies readied for the press, only a typewritten one. Romney had avoided referencing Johnson by name in his testimony, but Vance’s report contradicted the Michigan governor’s timeline and claimed “the legal provisions whereby the president may order federal troops within a state were not understood by Michigan officials.”⁶⁸ The 65-page document, organized by Vance but released officially by Secretary of Defense Robert McNamara, also reiterated criticism of the actions of the Michigan National Guard. Once again, Clark responded as well, saying he “would not criticize Governor Romney for his indecision if he did not persist in his distortions.”⁶⁹ Clark disputed the exact time that Romney called and whether he made the formal request for federal troops;

⁶⁵ *Ibid.*

⁶⁶ Harry Kelly, “Romney Pressures Johnson Riot Panel,” *Atlanta Constitution*, Sept. 13, 1967; “Newspaper Clippings Related to Commission”; Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁷ William McGaffin, “US Refutes Romney on Detroit Riots,” *Mamaroneck (NY) Times*, Sept. 14, 1967, “Newspaper Clippings Related to Commission”; Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁸ “US Refutes Romney on Detroit Riots,” *Mamaroneck (NY) Times*, Sept. 14, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NAACD, RG 282, LBJ Library, Austin, TX.

⁶⁹ Statement by Attorney General Ramsey Clark, Sept. 12, 1967, “9/5-9/21,” Box 1, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

he also restated his surprise at the accusations, claiming “at no time did Governor Romney utter a word of complaint about constitutional or other legal requirements or in any way imply that he had requested troops earlier.”⁷⁰

Johnson remained quiet through Romney’s visit. His next political maneuver came in a Kansas City speech to the International Association of Chiefs of Police on September 14. On the same day he signed gun control legislation prohibiting out-of-state purchases and interstate mail order sale of firearms to “keep lethal weapons out of the wrong hands, out of the hands of dangerous criminals,” Johnson spoke to the IACP on the nationwide effort required to deter violence and demonstrate respect for law and order.⁷¹ He referenced the Crime Commission, whose conclusions prompted him to urge Congress to pass the Safe Streets and Crime Control Act that would “provide grants to those cities and to those states who not only increase their present commitment to criminal justice, but who are willing to go out and develop programs for better training, for better use of their personnel...”⁷² The president also praised law enforcement for confronting the unprecedented challenges the summer riots presented them, riots that “damaged a great deal more than the storefronts and the American homes...they damaged the respect and the accommodation among men on which a civilized society ultimately depends.”⁷³ He described the perpetrators as “wretched, vulgar men...these poisonous propagandists, posed as spokesmen for the underprivileged and capitalized on the real grievances of suffering people.”⁷⁴

⁷⁰ *Ibid.*

⁷¹ Remarks of the President Before the International Association of Chiefs of Police, Kansas City, Missouri; White House Press Release, Sept. 14, 1967; “9/5-9/21,” Box 1, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

⁷² *Ibid.*

⁷³ *Ibid.*

⁷⁴ *Ibid.*

Johnson thus refused to acknowledge that the rioters might be speaking for more people than just themselves; he chose instead to push crime prevention and employ failsafe law-and-order rhetoric. Speaking indirectly about slum residents, Johnson said “the vast majority...believe [in] obedience to the law...they have seen their rights more firmly established, their opportunities sharply increased in the last decade.”⁷⁵ Here Johnson seemed to speak in praise of his administration’s own accomplishments while reflecting its quiet frustration: for all that liberalism and the Great Society had afforded to African Americans, some found it unsatisfactory and incomplete. To say that the riots spoke for more than the extreme few was to lend credence to the idea that many of Johnson’s domestic achievements were either purely symbolic, insufficient, or altogether ineffective; thus he pinned riots on a lawless minority while describing the majority of poor blacks as grateful and law-abiding. Although he remained sympathetic to the plight of the slum dweller, the president’s strategy was clear: rely on existing programs, respect law and order, and curb criminal behavior. Unsurprisingly, there was no mention of the need for massive increases in domestic spending.

The testimony of the experts on black life in the previous days painted a different picture from the one articulated by many white officials. While Henderson, Clark, and Bennett did not offer outright praise for the rioters, they were much more sympathetic to King’s characterization of riots as “the language of the unheard,” as a strategic response from the impoverished when all other means had failed. Clark was increasingly pessimistic about the nation’s ability to solve problems and address systemic racism. A *New York Times* article on Buffalo summarized the racial divide in many cities that

⁷⁵ Johnson to IACP, Sept. 14, 1967, “9/5-9/21,” Box 1, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

consisted of white leadership believing it had done more than its fair share on behalf of civil rights and interracial cooperation and African Americans who labeled such leaders naïve to the problems of the ghetto and the structural racism that remained. A *Wall Street Journal* feature examined how urban renewal projects in Boston “never made any attempts to involve or educate the poor, and the plan was primarily an instrument for displacing them from the neighborhood.”⁷⁶ Unlike projects that involved lower-class white residents, where families were notified, consulted, and even offered arrangements to switch housing, those projects in Boston’s African American neighborhoods proceeded without consultation, building nicer housing and businesses that the displaced could not afford. One Urban League official described the city’s urban renewal policies as “large on promise and small on performance.”⁷⁷

Police-community relations were still fraught with tension and, as was the case with President Johnson and his critics, white leaders seemed to resent the notion that they had not done enough and that racism was as bad as ever. Middle-class African Americans in Atlanta bristled at “demands that they solve a problem created by whites,” telling a CBS News radio broadcast that “to expect more of Negroes than anyone else is a subtle form of racism.”⁷⁸ Dr. Nathan Hare, a sociology professor at Howard University considered the father of black studies, attributed the horrors of the ghetto, in part, to “four centuries of abuse and cunning treachery to which black people are subjected in

⁷⁶ Albert B. Hunt, “Renewal and the Poor,” *The Wall Street Journal*, Sept. 21, 1967, “Boston,” Box 2, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

⁷⁷ *Ibid.*

⁷⁸ “The Silent Negro,” *CBS News Special*, Sept. 22, 1967, broadcast transcript, CBS Radio Network, “Articles (Magazines, Radio, TV etc.),” Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

America.”⁷⁹ Not only had “black gains” been minimal, Hare argued, integration sought to create “a black face and a white mind” rather than “the right to exist on an equal plane as a distinct category.”⁸⁰ Hare decried African American males emasculated at home but expected to fight in Vietnam and praised Black Power as opposition to “the everlasting evils of white power...it is extremely American to fight back when attacked.”⁸¹ White officials, meanwhile, were more concerned with repression than the systemic factors that fueled rioting; “it may not be possible to overthrow a racist white America, but clearly America can be destroyed...the choice may no longer be left to her,” Hare concluded.⁸² One magazine article claimed that “a significant fraction of [African Americans]—including many of the most articulate and politically active—want integration as little as the governors of Mississippi and Alabama.”⁸³ Another reasoned that the racial dissent and fallout from the rioting was “more a result of the government’s unwillingness to make major economic commitments than it is of any inherent tendencies in the black populist movement.”⁸⁴

A Robert Coles piece in *New York Times* magazine described how African Americans that had migrated Northward from the Deep South found that northern whites “know how to stand together as a race” and keep African Americans in “their place.”⁸⁵ Those who believed in the binary of “the oppressive South and the promising North”

⁷⁹ Dr. Nathan Hare, “Black Rebellion,” *Oklahoma Eagle*, Sept. 28, 1967, enclosed in letter from Alvin Spivak to Victor Palmieri, Oct. 10, 1967, “Correspondence-Informative,” Box 2, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁸⁰ *Ibid.*

⁸¹ *Ibid.*

⁸² *Ibid.*

⁸³ “Soul, Brother,” *Triumph*, September 1967, 9, “Attitudes,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

⁸⁴ Lee Rainwater, “Open Letter on White Justice & the Riots,” *Trans-Action*, September 1967, 32, “Poverty Area Environment,” Box 3, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

⁸⁵ Robert Coles, “When the Southern Negro Moves North,” *The New York Times Magazine*, Sept. 17, 1967, “Population,” Box 3, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

found it was “as though you’ve been cheated...led down the wrong road.”⁸⁶ Coles referenced a Brandeis University study that found that a higher proportion of native southerners in a northern city increased the likelihood that city would experience a riot. “A lot of times I wish I was back down South, but I know my kids have it better here...maybe,” one resident said.⁸⁷ Coles offered a comprehensive, disheartening account of how substandard living conditions and institutionalized racism affected African Americans in the North just as it did in the South. Time Inc. CEO Andrew Heiskell articulated the feelings of many white Americans on the riots when he said “suddenly we realize that there is something that must be done, and we don’t know what it is and how to do it.”⁸⁸ Cities were unmanageable, he told his Board of Directors, “because most of us, and many millions of others, have over the course of the years decided that the managing of the city was none of our responsibility.”⁸⁹

The plight of American ghettos yielded skepticism from the broader black community on a forthcoming riot report. “Grumbling is heard that nothing will come of it but another paper product, another report to be filed and forgotten,” one newspaper claimed.⁹⁰ The article, printed in the Whippany (NJ) *News of the Hanovers*, continued that disillusioned black moderates “cannot imagine that the president’s commission on disorders is really going to do any better than” the “largely futile” White House

⁸⁶ Coles, “When the Southern Negro Moves North,” *The New York Times Magazine*, Sept. 17, 1967, “Population,” Box 3, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

⁸⁷ *Ibid.*

⁸⁸ Andrew Heiskell, “The City at Bay,” Address to Magazine Publishers Association, New York City, Sept. 19, 1967, 1, “Articles (Magazines, TV, Radio, etc.),” Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

⁸⁹ *Ibid.*

⁹⁰ “Race Study Faces Negro Skepticism,” *Whippany (NJ) News of the Hanovers*, Sept. 20, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

Conference on Civil Rights from the previous year.⁹¹ These leaders wanted “action, not more recommendations and feelings....they cannot quite shrug off the feeling that the president’s institutionalized efforts to deal with racial turbulence...are designed mainly to take some of the political heat out of the issue.”⁹² The “growing tide of skepticism” would require repairing a damaged relationship that stemmed from reports that Johnson and his inner circle had attempted to dissuade Lindsay and Barr from convening the Urban Coalition the previous month.⁹³ While the administration denied this claim, according to the article, it reinforced the notion that there was “some small germ of truth” to the White House “trying to extract maximum political advantage from the commission on racial disorders.”⁹⁴ The cynicism offered another hurdle for a Johnson White House whose list of allies and detractors seemed to be heading in opposite directions.

Wilkins, one of two African Americans on the commission, considered himself a moderate, but he did not share the same cynicism. In a wide-ranging interview with *US News & World Report*, the NAACP head criticized the Black Power movement for wanting a separate society while demanding funding from the very institutions it castigated. “If the Negro thinks he can go it alone and create a separate black economy, he’s going against the whole international trend of mankind, the whole evidence of history,” Wilkins remarked.⁹⁵ Too many young African Americans, he said, believed that violence made others listen; patience was critical according to the man who had a sign in

⁹¹ “Race Study Faces Negro Skepticism,” *Whippany (NJ) News of the Hanovers*, Sept. 20, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁹² *Ibid.*

⁹³ *Ibid.*

⁹⁴ *Ibid.*

⁹⁵ “Wilkins Calls Black Power Path Wrong,” *The Baltimore Sun*, Sept. 18, 1967, “NAACP,” Box 6, Series 24, NACCD, RG 282, LBJ Library, Austin, TX.

his New York office that read: “bricks through windows won’t open doors.”⁹⁶ He attributed the riots, in part, not to despair, but rather “rising expectations...although Negroes are better off now than they have been, they are also resentful of the fact that the door is only a quarter or half open.”⁹⁷ Plenty of moderate African Americans agreed with Black Power complaints; they simply did not subscribe to the idea of separatism as the answer nor did they necessarily feel, as organizations such as SNCC and CORE did, that excluding whites was the proper course. When Black Power beliefs started to affect jobs, homes, and children of moderate African Americans, Wilkins noted many hesitated. He offered a reminder that “the Negro community is not a solid bloc,” that it consisted of plenty of businessmen, homeowners, and professionals who had a stake in the economy.⁹⁸

He also predicted that when African Americans discovered they could prosper in the South—something he believed would happen sooner than in the North—many would remain in the region or return from northern cities. “In the North, it is hard for people to shake themselves of this false sense of idealism,” Wilkins said, adding that “they have this idea they ‘because I don’t hate the Negro, he is my friend and I am his friend’...but there is a lot of difference between not hating a man and letting him live in your neighborhood and have a good job.”⁹⁹ As the most prominent African American voice on the Kerner Commission—and one of the most prominent African American voices in the nation, Wilkins’s words carried weight. At age 66, he certainly had a different philosophy for engendering racial progress in America than younger activists like Carmichael and

⁹⁶ “The Way to Racial Peace in America: Interview with Roy Wilkins, NAACP Head,” *U.S. News & World Report*, Sept. 25, 1967, 81, “NAACP,” Box 6, Series 24, NACCD, RG 282, LBJ Library, Austin, TX.

⁹⁷ *Ibid.*, 80.

⁹⁸ *Ibid.*, 82.

⁹⁹ *Ibid.*, 83.

Brown. The interview also underscored why the White House had chosen Wilkins to serve: he wished to bring change within the framework of existing institutions, nonviolently and deliberately, and thus his leadership did not pose a threat. He rightly pointed out that the African American community was not monolithic and thus not everyone was going to agree, but this seemed to speak to the Kerner Commission's diversity problem. Not only were there no young, non-moderate African Americans or African American women on the commission, nine of the eleven members addressing issues in overwhelmingly black neighborhoods were white, leaving the panel's dialogues and eventual recommendations open to reasonable critiques.

With the commission preparing for another round of testimony related to law and order that week, Ginsburg sent a note to commissioners on the possibility of making an ad hoc recommendation to President Johnson on a riot prevention and training program for top officials. The proposed conference would take place at some point in the winter in Washington and invite officials from the nation's 100 largest cities; it envisioned "a two-day conference for mayors, a one-week course for police chiefs, and a two-to-four week course for other key police personnel."¹⁰⁰ The course, which had an estimated cost of \$500,000, would focus on subjects like community relations, riot control tactics, rapid mobilization, communication systems, decision-making during riots, advance planning, and conducting joint operations with local police, state police, the National Guard, and the U.S. Army.¹⁰¹ Ginsburg indicated that the commission had discussed the conference with the FBI and the Department of Justice and would send forthcoming updates on

¹⁰⁰ David Ginsburg to Commissioners, "Possible Ad Hoc Recommendation Calling for Special Training Course for Local Law Enforcement Officials," Sept. 20, 1967, "Commission Members"; Box 1, Series 31, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰¹ *Ibid.*

planning. One goal of the conference was to convince police officials “defensive and resistant to change” that the Kerner Commission hoped to offer recommendations that could translate into straightforward, practical programs that were easy to implement, something the crime commission had failed to achieve due to a complicated, detailed report that did not seem to understand its audience.¹⁰² By early October, the commission would send the president an official recommendation for conferences spearheaded by the DOJ to focus on “effective measures for the maintenance of law and order and on programs to improve police-community relations.”¹⁰³ The memo cited expert witness testimony as having convinced commissioners that training conferences might aid in communicating how to prevent and control civil disorders. Among the topics proposed for the conference were advance planning, control techniques, communications systems, making decisions during disorders, and coordinating operations with local, state, and national officials in stressful scenarios.

Controversy emerged on September 20 amid reports that NBC had coached an interview subject in a documentary on riots in Detroit. The subject, local resident James Malone, claimed an NBC producer encouraged him to recite incendiary lines on how outsiders inspired local militant groups; NBC quickly denied the accusations, saying that Malone was not even interviewed for the documentary (the program showed a silhouette of the person in question to conceal his identity) and noting that it was common for interviewees to retract statements upon a program’s release. The incident called into question the relationship between riots and the media, a relationship some felt had

¹⁰² Robert Wasserman to Stephen Kurzman, “Implementation of the Commission’s Recommendations,” Sept. 27, 1967, “Central Files,” Box 1, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰³ Otto Kerner and John Lindsay to Lyndon B. Johnson, October 7, 1967; “Commission Members,” Box 1, Series 31, NACCD, RG 282, LBJ Library, Austin, TX.

problems that were “clear and undisputed.”¹⁰⁴ A *Providence Journal* article mentioned recent sources and studies, none by name, indicating that disorders “have been encouraged, stimulated, and perhaps even incited on occasion by the practices of the news media, especially television.”¹⁰⁵ Media coverage had the potential to “inflame the problem,” and on occasion, “the mere presence of a TV camera crew in a neighborhood gripped by tension can be the spark that touches off an outbreak.”¹⁰⁶ Where, exactly, was the line between balanced news coverage of a disorder and inciting even more panic?

Staffers had discussed the need for a media effects study as part of the interim report to determine how television, radio, and newspaper coverage actually affected riots. Staffers readied a questionnaire later in the month for the media study, tailoring different sets of questions for community leaders and residents, police officials, and city officials, respectively. Community leaders and residents were asked what television they watched, whether they saw images of rioting on television, whether such images had an influence on looting and a broader climate of racial unrest in a given city, if local African American news received adequate coverage, and how journalists covered the riots, among other topics. The study asked police whether television, radio, and newspapers had any effect on the rioting, positively or negatively, asking for specific programs by name and whether there were “specific examples of bad conduct by the press” during riot coverage.¹⁰⁷ City officials received similar questions about how members of the press

¹⁰⁴ Lawrence Weisman to David Ginsburg, “Relationship of the Media to Civil Disorders,” Sept. 20, 1967, “Mass Media,” Box 5, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰⁵ “Riot Coverage,” editorial, *Providence (RI) Journal*, Sept. 16, 1967; “Los Angeles, CA”; Box 5, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰⁶ *Ibid.*

¹⁰⁷ Bruce L. Paisner to Robert Shellow, Sept. 27, 1967; “Mass Media,” Box 5, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

behaved, whether it impeded their own work, and if there were “any specific examples of bad conduct by the press.”¹⁰⁸

Commission hearings on law and order in the final week of September focused on grievances and events that prompted disorders, actions police and individual communities might take to reduce or prevent such disorders, and techniques for restoring peace once disorders had occurred. Among a list of witnesses that included officials from the Department of Justice and military as well as Yale law student and Watts neighborhood association head Stanley Sanders, the star of the week was Father James Groppi, a white Catholic priest from Milwaukee who had allied himself with black radical causes. Commissioners traveling to Milwaukee in late August to gather information had sensed that Groppi created a lot of tension; a recap of the trip noted that of the four commissioners touring the city, Groppi only showed interest in speaking with Wilkins, the lone African American.¹⁰⁹ In his testimony, Groppi told the commission that cutting off federal funds to cities refusing to address housing segregation was a fair punishment. He wished to apply this to his hometown “because there is such a tremendous amount of bigotry in Milwaukee and practically nothing is being done to alleviate the intolerable conditions under which the black man is living in the ghetto,” warning that additional rioting could take place and make Milwaukee a “Wisconsin Selma” if such needs were not addressed.¹¹⁰ Groppi expressed skepticism that anything would be done, describing Black Power as a “redemptive force” that “will teach the white man to respect the black

¹⁰⁸ *Ibid.*

¹⁰⁹ Henry B. Taliaferro to Staff, “Milwaukee Trip—Monday & Tuesday, 28, 29 August 1967,” Sept. 26, 1967, “Trips,” Box 2, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹⁰ John W. Kole, “Another Riot Possible, Groppi Tells Probers,” *Milwaukee Journal*, Sept. 21, 1967, “Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

man.”¹¹¹ Given the ineffectiveness of marches and civil disobedience in Milwaukee to that point, he did not rule out advocating violence if “the white man did not share his good life with the Negro,” saying he would have to “wait and see.”¹¹²

Although expert testimony seemed to proceed without incident, Ginsburg did express concerns to Kerner the following week that the atmosphere was too relaxed, with commissioners unwilling to ask focused questions, causing hearings to meander at times. Ginsburg did not offer any solutions, only concerns that “we may start running well behind in our day’s schedules and squeeze out some important witnesses altogether.”¹¹³ Concern also mounted as to whether the commission’s “social and economic objectives” would be “too ultimate and thus hamper the decision-making and pay-off of our report.”¹¹⁴ Palmieri’s memo to a colleague described “pie-in-the-sky goals” and reservations that “if liberalism carries the day, promises may be made which cannot be met.”¹¹⁵ The sensible alternative, he reasoned, was a “limited framework” with tempered goals and expectations. He spoke very candidly on the matter:

Our programs should contribute to reduction of inequalities between black and white. Does that mean that our social and economic recommendations will directly result in, say, the same income distribution among Negroes as among white? Hardly and it would be foolish to even imply that... What we can say, however, is that economic equality—that is, equality of opportunity and equality of a pay-off for equal input—is an ultimate goal of American society.¹¹⁶

Palmieri’s concerns veered from rhetoric on improving slums and funding urban renewal by any means necessary, particularly from Lindsay. Realism permeated his memo that

¹¹¹ Vincent J. Burke, “President’s Riot Board Gets Ghetto Warning,” *Los Angeles Times*, Sept. 22, 1967, 6, “Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹² *Ibid.*

¹¹³ David Ginsburg to Otto Kerner, Sept. 28, 1967; “Honorable Otto Kerner, Chairman”; Box 1, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹⁴ Victor Palmieri to Myron Lefcowitz, “Program for Limited Objectives: The Commission’s Option,” Sept. 29, 1967; “Long Term Program”; Box 3, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹⁵ *Ibid.*

¹¹⁶ *Ibid.*

acknowledged the criticism of overpromising when it came to the commission's recommendations. His suggestion that the commission should "start to define its ultimate goals" and center them around "limited objectives" prescribed a much milder approach than the bold proclamations issued at the commission's inception.¹¹⁷ Palmieri's concerns offered yet another indication that the commission had a precarious line to tow.

After the week's testimony had concluded, Kerner returned to Illinois and gave a speech before the Illinois Municipal League in which he lamented the environments where riots broke out but also defended police confronting a "nasty job."¹¹⁸ The governor threw away his prepared speech and spoke candidly, describing riots starting with "dry grass situations in a congested area full of frustration and broken promises."¹¹⁹ He also posed a question to his audience, "how long would you and I control our tempers under the same circumstance?" in reference to law enforcement.¹²⁰ Despite the fact that police-community relations in most riot areas were fraught with tension, Kerner portrayed both the rioters and the cops as sympathetic figures. The police were "standing like the Rock of Gibraltar" in the face of turmoil, while the urban poor dealt with conditions to which were many affluent Americans were completely oblivious.¹²¹ While Kerner attempted to offer a bit of unscripted nuance to the situation in each city coping with riots, the stance did not necessarily play in a polarizing political climate. Sympathizing with the rioters lent credence to violent, illegal acts and often rewarded them, in the minds of

¹¹⁷ Palmieri to Lefcowitz, "Program for Limited Objectives," Sept. 29, 1967, "Long Term Program," Box 3, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹⁸ Robert Howard, "Kerner Calls Riots a Full Time Problem," *Chicago Tribune*, Sept. 25, 1967, "Commission," Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹⁹ "Kerner Hits Rioting at State Conference," *Rockford (IL) Register-Republic*, Sept. 25, 1967, "Commission," Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹²⁰ Howard, "Kerner Calls Riots a Full Time Problem," *Chicago Tribune*, Sept. 25, 1967, "Commission," Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹²¹ "Kerner Hits Rioting at State Conference," *Rockford (IL) Register-Republic*, Sept. 25, 1967, "Commission"; Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

conservatives, while sympathizing with strained police forces and comparing their courage and frustration to the daily struggles of slum dwellers was dangerous and misguided, in the minds of liberals.

Richard Nixon, a moderate Republican and prime contender for the GOP's presidential nomination, entered the riot debate with statements in a 2000-word *Reader's Digest* article that toned down the rhetoric of hardline conservatives. In the article, Nixon described America as lawless and declared the nation "cannot temporize or equivocate in this showdown with anarchy."¹²² He also lamented that the well-behaved ghetto residents were punished due to the actions of a dangerous few, describing rioters as "gravely mistaken to think that the threat of pillage is the way to sell Americans on social justice."¹²³ The former vice president was not interested in exploring new programs, but rather determining why past ones had failed; he decried the amount of "permissiveness" to rioters who "defy the law in pursuit of civil rights," speaking to "a decline for public authority and the rule of law in America."¹²⁴ Congress had offered too many promises related to social and civil rights legislation, and white America was deluding itself in believing that "civil rights acts are going to make full competitors in our society out of children who arrived at life's starting line fresh from broken families, slum conditions, inferior schools and crime-and-vice-ridden neighborhoods."¹²⁵ Coddling rioters was unacceptable, he argued, because it was not up to the individual to "determine what laws are good and what laws are bad."¹²⁶

¹²² United Press International, "126-Nixon," news release, Sept. 26, 1967, "Correspondence-Press," Box 2, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹²³ *Ibid.*

¹²⁴ *Ibid.*

¹²⁵ *Ibid.*

¹²⁶ Robert B. Semple, Jr., "Nixon Links Crimes to 'Legal System,'" *The New York Times*, Sept. 27, 1967, "Political Structure-Republicans," Box 7, Series 24, NACCD, RG 282, LBJ Library, Austin, TX.

Nixon also alluded to judges and courts that had “gone too far in weakening the peace forces as against the criminal forces.” While Nixon did not mention any court decisions by name, the *New York Times* speculated he was referring to the *Miranda v. Arizona* and *Escobedo v. Illinois* decisions that had altered the ability of police officers to question suspects and obtain confessions. Nixon, who himself had a law degree and had argued before the Supreme Court, had not criticized the Court previously, so the *Times* saw his words as an attempt to shore up conservative credentials with a talking point previously espoused by Barry Goldwater and Ronald Reagan. With his statement, Nixon offered a preview of his strategy in addressing the riots on the campaign trail. Instead of engaging in overt race-baiting, he chose to focus on law and order, better training and pay for police officers, isolating rioters as a fraction of residents, and “acknowledging that racial animosities and long-standing injustices had contributed heavily,” all while assigning blame on the welfare system and a refusal to admit that more spending on the same programs might not be the answer.¹²⁷ His observation that “far from being a Great Society, ours is a lawless society” was calculated and politically loaded.¹²⁸ Nixon offered harsh judgments of slum conditions rather than slum residents with the hopes that framing an alternative around law and order and reduced spending would attract both conservatives and moderates the following year.

On September 29, Kerner received a memo from his assistant, Kyran McGrath, raising a number of concerns. McGrath was at work on the outline of the preliminary report and feared that “any report of the size this outline foretells, be it preliminary,

¹²⁷ *Ibid.*

¹²⁸ *Ibid.*

intermediate, or final, will scare away the very people in our nation who must read it.”¹²⁹

He also noted a rift between commissioners and staff:

Some grumblings are filtering back that some of the commissioners feel they are being more entertained in their work on the commission rather than being allowed to enter into the actual work of the report and the direction of the research effort. Criticism arises that the schedule of hearings leaves them no time to meet among themselves and spread their opinions, etc., out on the table. I gather that a suggestion or request will be made that the commissioners set aside an hour or two to meet alone, with no staff present, no executive director, nobody but the eleven commissioners. I don't know how much you'll want to handle this, maybe beat them to the punch yourself or let it come from the floor.¹³⁰

The commission needed to find a balance in incorporating the voices of program researchers and staff and the eleven members appointed by President Johnson. With many researchers deeply embedded in fieldwork in individual cities and commissioners juggling hearings with other obligations, little time existed for a dialogue between the two groups. Commissioners, McGrath made clear, wanted more say and more time for open discussions on the riots, the hearings, and other matters. The task was now left to Kerner and Ginsburg to mediate and ensure that both groups felt they had the platforms and the resources to contribute fully.

By the end of the month, the commission had heard testimony from 75 witnesses with more to follow in October. Faced with a pressing deadline, commissioners who wanted a more active role, conservatives who wanted it to crack down on the lawless, liberals who wanted to hold the federal government and white America accountable, answering to a beleaguered presidential administration that could please seemingly no one, the inevitable politicizing that came with a looming presidential election, internal concerns that it could promise too much, and public cries that it would offer nothing of

¹²⁹ Kyran McGrath to Otto Kerner, Sept. 29, 1967, “Otto Kerner: Official Correspondence,” Box 1392, Series I, Otto Kerner Papers, 1947-1968, Abraham Lincoln Presidential Library, Springfield, Illinois.

¹³⁰ *Ibid.*

substance, the Kerner Commission ventured head on into its third full month. The heightened tension surrounding the commission, its approach, and its forthcoming product was not subsiding anytime soon.

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Lerone Bennett Jr. had a thorough, unfettered message for white America: when it came to the causes of the summer riots and the daily struggles of the black poor, most suburbanites were either naïve or in denial. Evil outsiders were not leading mindless ghetto residents in these riots; their actions were actions of the aggrieved, of citizens whose mistreatment had simmered for so long that the only surprise was that rebellions did not occur more often. “Most white people don’t want to believe that black people are really mad,” Bennett wrote in *Ebony*, noting that “if they believed that they would have to look at themselves and their institutions...and it is much easier to look at Stokely Carmichael and alleged ‘outside agitators.’”¹ The rioters, Bennett argued, were in “open revolt against a system which denies their humanity.”² He traced conditions back to slavery and its aftermath, to an American tradition that had long denied African Americans humanity before finally declaring them second-class citizens. Resentment had its roots in “what amounts to quasi-colonial status” for those trapped in ghettos; it manifested itself in 1967 in the form of police brutality and schools, housing, and job rates that were all poor.³ Dire schools meant dire job prospects, which often led to crime followed by otherwise indifferent white observers eager to pathologize ghetto-dwellers as criminals and thugs. The cycle persisted for decades, and when police refused to even respect the poor in their own squalor, the frustrations boiled over; as Bennett put it, the

¹ Lerone Bennett Jr., “How to Stop Riots,” *Ebony*, October 1967, 32, “Racial Isolation in the Public Schools-Appendices, U.S. Commission on Civil Rights, 1967,” Box 4, Series 5, Records of the National Advisory Commission on Civil Disorders, Record Group 282, Lyndon B. Johnson Presidential Library, Austin, Texas.

² *Ibid.*

³ *Ibid.*

riots had “illuminated with a thousand fires the internal agonies of a nation at war with itself.”⁴

Bennett was not alone in calling out white Americans for ducking the uncomfortable questions linked to institutionalized racism. An article in *Concern* characterized America’s social structure as a “form of apartheid that is every bit as vicious, albeit uncoded, as that in South Africa.”⁵ Another piece in the same publication, penned by a Detroit pastor, argued the black violence in the ghetto was a “revolt against the violence and injustice black people have received from whites ever since we came to this country in slave ships,” an unfortunate last result when other methods had failed.⁶ The “continuous pattern of defining a black American as something other-than-a-normal American” reflected just how embedded segregation and white society often was in the white suburbs, a space where enmity toward the ghetto was commonplace and the “total culture constructed on whiteness” and “refusal to accept anyone who looks and acts different from the way we do” was accepted without a second thought.⁷ Robert Coles wrote in *The Atlantic Monthly* of the “terrible historical irony...the law which Negroes now defy once decreed them to be chattel, pure and simple; and until recently that law, that order, that ‘way of life’ denied them—in their

⁴ Bennett, “How to Stop Riots,” *Ebony*, October 1967, 32, “Racial Isolation in the Public Schools-Appendices, U.S. Commission on Civil Rights, 1967,” Box 4, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

⁵ “The Urban Riots, the Church—and the Future,” *Concern*, Oct. 1, 1967, 4, “Concern,” Box 1, Series 26, NACCD, RG 282, LBJ Library, Austin, TX.

⁶ Archie L. Rich, “The Black Revolt,” *Concern*, Oct. 1, 1967, 17; “Concern,” Box 1, Series 26, NACCD, RG 282, LBJ Library, Austin, TX.

⁷ Richard Newman, “Black Power, Black Nationalism, Black Rebellion,” *Concern*, Oct. 1, 1967, 5, “Concern,” Box 1, Series 26, NACCD, RG 282, LBJ Library, Austin, TX. “The Urban Riots, the Church, and the Future,” *Concern*, Oct. 1, 1967, 4, “Concern,” Box 1, Series 26, NACCD, RG 282, LBJ Library, Austin, TX.

American homeland—even the right to vote.”⁸ He characterized much of poor, black America as “a nation within a nation, and until that awful division of territory, money, and power is somehow bridged, until studies and inquires and prescriptions become actions, rioting will continue.”⁹

Carmichael himself co-authored an article with activist Charles Hamilton in *The Atlantic Monthly* laying out the horrors of the ghetto and how they drove young African Americans to militancy. Carmichael and Hamilton’s piece, titled “Dynamite,” traced the plight of African Americans from the stark violence and discrimination of the Jim Crow South to the Great Migration in search of a better life in the North. Upon arriving in cities like Chicago and Detroit, however, black migrants “were forced into old ghettos, where rents were cheapest and housing poorest.”¹⁰ As millions flocked into urban areas, white residents and employers fled to the suburbs due in part to the “artificial panics...often created by enterprising realtors who raised the cry, ‘the niggers are coming.’”¹¹ With no federal open housing law and a refusal by many suburban officials to allow low-income housing, those in the ghetto had no way out. The riots and the conditions that bred them were nothing new; as Carmichael and Hamilton put it, “the problems of Harlem in the 1960s are not much different from those of Harlem 1920.”¹² Protesters who had initially opted for a nonviolent, wait-and-see approach had tired of government’s repeated inability to deliver on promises and deal with ghetto problems earnestly. Like Bennett, the authors pointed to housing, jobs, and education as flawed institutions that perpetuated

⁸ Robert Coles, “Maybe God Will Come and Clean Up This Mess,” *The Atlantic Monthly*, October 1967, 106, “Commission Hearings 10/23-10/24, 1967,” Box 2, Series 31, NACCD, RG 282, LBJ Library, Austin, TX.

⁹ *Ibid.*

¹⁰ Stokely Carmichael and Charles Hamilton, “Dynamite,” *The Atlantic Monthly*, October 1967, 99, “Disorder: Analyses,” Box 1, Series 48, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹ *Ibid.*

¹² *Ibid.*, 100.

the cycle of segregated neighborhoods to segregated schools to poor education to menial jobs. Calls for integration and the idea that “the closer you get to whiteness, the better you are” had not allayed the patronizing attitudes toward black students that contributed to substandard education, inadequate preparation for the workforce and, ultimately, “the breakdown of the black family structure.”¹³ Only when white America grasped the psychological and physical toll of these factors over generations could they understand why many in the ghetto felt they had no recourse beyond violent resistance.¹⁴

Rather than grapple with the despair and frustration engendered by centuries of discrimination, however, the article pointed to the tendency of the white establishment to “become[s] indignant and utter[s] irrelevant clichés about law and order.”¹⁵ When Carmichael and Hamilton targeted the “blue ribbon committee of ‘experts’ or ‘consultants’ appointed to investigate,” their opinion and expectations of the Kerner Commission and its forerunners were made clear.¹⁶ The reports would produce little of consequence and “everybody either prays for rain to cool off tempers and vacate the streets or for an early autumn,” they reasoned.¹⁷ Instead of examining how to change

¹³ Carmichael and Hamilton, “Dynamite,” *The Atlantic Monthly*, October 1967, 101-102, “Disorder: Analyses,” Box 1, Series 48, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴ Not every left-leaning activist agreed with the Black Power Movement’s tactics. *The Progressive* took its leadership to task, writing that the “the concept of Black Power makes abundant sense...to the extent that it seeks to instill creative racial pride and to establish an effective and independent Negro identity.” The problem, however, was that “Black Power extremists retreat from these objectives and foul their own nests when they imitate the most loathsome qualities of the white power structure they hate.” “Black Power and New Politics,” *The Progressive*, October 1967, 5, “Political Structure,” Box 3, Series 25, NACCD, RG 282, LBJ Library, Austin, TX. Activists also had to contend with accusations that the movement was anti-Christian due to its association with Nation of Islam leader Elijah Muhammad. While an article in *Christian Life* conceded that this was a bit of a myth, it opined that Black Power’s violent overtones “threaten to discredit the use of the term among wide sectors of American opinion, including the opinion of many Negro Americans.” “Is Black Power Anti-Christian?” *Christian Life*, October 1967, “Attitudes (Churches),” Box 1, Series 24, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵ Carmichael and Hamilton, “Dynamite,” *The Atlantic Monthly*, October 1967, 102, “Disorder: Analyses,” Box 1, Series 48, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁶ *Ibid.*

¹⁷ *Ibid.*

ghetto conditions, Americans would cast blame on those who acted out against the conditions or offer hapless temporary measures. The “dynamite” they spoke of “ignited” and “was placed there by white racism, and it was ignited by white racist indifference and unwillingness to act justly.”¹⁸ A broad refusal to acknowledge this phenomenon left many African Americans unwilling to rely on white institutions or white leaders, even those who framed themselves as liberal and forward-thinking, in offering up constructive solutions to the problems at hand. As another article surmised, “white leadership in black American affairs, however well-intentioned, is a form of plunder.”¹⁹

Unlike Carmichael and Hamilton, who called for a separate, autonomous movement, Bayard Rustin conceded that African Americans needed help from white liberals in leveraging political power to improve inner cities. In the October issue of *Commentary*, Rustin also took aim at America’s social welfare spending since World War II, comparing the \$96 billion with the \$946 billion spent on military power over the same period. He faulted the War on Poverty offering up “the delusion that the poor can be helped to organize themselves out of poverty” rather than “adequately attack the problems it claims to be attacking.”²⁰ Instead of addressing these problems, according to Rustin—he framed the priorities as full employment, raising the minimum wage, and offering guaranteed annual income, in no particular order—Johnson wanted to decrease domestic spending and ramp up funding for Vietnam. The war had splintered the civil rights movement, causing many liberals to “abandon the movement and concentrate their

¹⁸ *Ibid.*

¹⁹ Nathan Wright Jr., “Power and Reconciliation,” *Concern*, Oct. 1, 1967, 15, “Concern,” Box 1, Series 26, NACCD, RG 282, LBJ Library, Austin, TX.

²⁰ Bayard Rustin, “The Lessons of the Long Hot Summer,” *Commentary*, October 1967, 3, “Disorder,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

energies on civil rights activities.”²¹ Rustin urged an interracial alliance to challenge the one-party South and merge with a “dynamic Negro political movement” that could make “an enormous contribution to solving the problems of the black ghettos of the North.”²² This effort would require cooperation and an acknowledgement on the part of white liberals that they could not rest on their laurels when the movement remained incomplete. The fight for the “objectives of the new period—better housing, jobs, and education,” would be “political, not moral,” but much of the onus nonetheless was on the white community to see through what it had agreed to support earlier in the decade.²³

These pieces clearly wanted the attention of, among others, those who had “engaged in a white flight to avoid the black plight.”²⁴ White author John P. Adams conceded that many white Americans “have not been able to understand the anger of those who live in the areas that we have evacuated and who live under the conditions we deny.”²⁵ In his article in *Concern*, Adams offered the poignant example of Rosa Parks, the catalyst for the 1955 Montgomery bus boycott and a lauded symbol of the nonviolent civil rights movement. By 1967, Parks had moved to Detroit, near where the July riots unfolded. Adams described her as “watching with sadness the burning and the looting,” which resulted in the destruction of the office where she worked.²⁶ Asked how the anger of a dozen years prior in the South compared with the anger in Detroit in 1967, Parks answered, “Perhaps there is no difference. Maybe our anger is the same. In 1955 there were only a few of us. In those less tense days we were more patient. Now there are more

²¹ *Ibid.*, 7.

²² Rustin, “The Lessons of the Long Hot Summer,” *Commentary*, October 1967, 8, “Disorder,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

²³ *Ibid.*, 7.

²⁴ John P. Adams, “The Church Must Read the Riot Act,” *Concern*, Oct. 1, 1967, 9, “Concern”; Box 1, Series 26, NACCD, RG 282, LBJ Library, Austin, TX.

²⁵ *Ibid.*

²⁶ *Ibid.*, 10.

of them and they are not as patient. They are younger. They are willing to risk more.”²⁷

Parks’ words captured the evolution of the civil rights movement from her own famous participation to the present; that they came from such a seminal figure only underscored that the struggle remained incomplete.

Bennett had attended the National Conference of Negro Elected Officials at the University of Chicago on the final weekend in September, presenting a paper titled “The Politics of the Outsider—The Black Man’s Role in American Politics.”²⁸ A representative from the Kerner Commission had attended and reported that while there was skepticism as to “whether any lasting good would come out of the efforts of the Commission,” there was also a sincere hope it could “develop a hard hitting and definitive report on conditions giving rise to the eruptions and civil disorders.”²⁹ For its part, the commission had taken note of the numerous calls to hold white America accountable, having sent a representative to the conference and compiled the aforementioned articles for its own collection. October commenced with another round of witness testimony in Washington and commission staffers performing field work in various cities where riots had occurred. With the Commission’s Interim Report taking shape, those demanding white accountability still contended with editorials like the one published in the *Albany (Ga.) Herald* on October 5, a piece claiming a “reversion to the terrors of the jungle” was the “sole alternative” to maintaining law and order.³⁰

²⁷ Adams, “The Church Must Read the Riot Act,” *Concern*, Oct. 1, 1967, 10, “Concern,” Box 1, Series 26, NACCD, RG 282, LBJ Library, Austin, TX.

²⁸ Nathaniel Jones to Merle McCurdy, “National Conference of Negro Elected Officials,” Oct. 3, 1967, enclosed in letter from Merle McCurdy to David Chambers, Oct. 4, 1967, “McCurdy, Merle,” Box 2, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

²⁹ *Ibid.*

³⁰ “If Law is to Survive,” Editorial, *Albany (Ga.) Herald*, Oct. 5, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

A draft of a staff paper on “causal analysis” of riots by scholar Howard Margolis indicated that Kerner Commission staffers had taken to heart the words of Bennett, Carmichael, Hamilton, and the authors in *Concern*. Margolis classified the three broad views of the riots as “too much too soon,” “justified protest,” and “structural problems,” laying out each view objectively before summarizing the staff’s thinking on each position.³¹ The first view, “too much, too soon,” posited that African Americans and white liberals expected civil rights gains to progress at an unrealistic pace, generating dangerous conditions where “irresponsible, fanatical” leaders could “exploit the frustrations of the ghetto community.”³² This moderate to conservative viewpoint favored respect for the law, prosecuting rioters, and submitting a “notice to the Negro community” that riots make things “worse, not better.”³³ The second cause, “justified protest,” framed rioting as a logical reaction to deep-seated conditions. Margolis did not spare the federal government when discussing this view, writing that for three years it had “largely ceased to be the active, visible ally of the Negro struggle to improve his condition.”³⁴ This was not entirely the government’s fault, he clarified, as “the momentum went out of visible Federal support for Negro advancement,” in part, because “those things the government was prepared to most actively support had been done,” and rioting could have occurred sooner and more violently if not for the civil rights measures the government did lead.³⁵ Nevertheless, this view did peel back an inconvenient truth regarding white America: that much of the civil progress had come at virtually no cost to

³¹ Howard Margolis, “Draft Staff Paper: Causal Analysis,” Oct. 5, 1967, 3, “Causal Analysis,” Box 1, Series 60, NACCD, RG 282, LBJ Library, Austin, TX.

³² *Ibid.*

³³ *Ibid.*, 4.

³⁴ *Ibid.*, 5.

³⁵ *Ibid.*

them, and that when “the drive turned, inevitably, toward the economic and social status of the Negro American generally, this was no longer true.”³⁶ The effort and undertaking required to address such large-scale issues would place “great, difficult, conceivably even impossible responsibilities on the white economic and political leadership in this country.”³⁷

The final cause, labeled as “structural problems,” argued that a combination of black migration to northern cities and white flight to the suburbs had a significant, negative impact, rendering many ghetto residents unskilled and uneducated due to a lack of jobs and bad public schools. Riots thus represented the breaking point for many frustrated residents. Margolis concluded that while each of the three views had some merit, the second would be “the most subtle and hardest for white Americans to accept” because it “does not allow us to avoid the issue of racism in American society.”³⁸ He viewed the chief conflict between the first two causes, claiming the third could be integrated into either of them, and proposed a “least-common-denominator” interim report that expanded on each view without taking a firm position.³⁹ Focusing on objective structural problems could, ideally, “stimulate attention in Congress and the press on the fundamental choices...that must be made” while giving the commission more time to stake out its own position so that its judgments would ultimately have “maximum impact and acceptability.”⁴⁰ Margolis’s paper, while still a work in progress, offered one of the first coherent glimpses into how the Kerner Commission intended to formulate potential causes and solutions to rioting in its drafting of an interim report. He emphasized

³⁶ *Ibid.*, 6-7.

³⁷ *Ibid.*, 8.

³⁸ *Ibid.*, 10.

³⁹ *Ibid.*, 11.

⁴⁰ *Ibid.*, 12.

presenting each of the three causes uncritically, but the undertones seemed to indicate favoring “justified protest” as well as a concern over how white America might react when told it was complicit in the system that spawned all-black riots far from its collective doorstep. In the short term, a measured course presenting multiple viewpoints would, ideally, promote the kind of dialogue from politicians and the general public that might help craft the best long-term solutions. In the long term was the goal of recommendations tailored to “meet a basic social problem, the problem of being black which has for 350 years undercut the basic ideas of our system of free government.”⁴¹

Amid the articles and speeches decrying white indifference to black poverty and an underlying racism that had defined the country for centuries, there were also attempts to cast law enforcement as victims performing a thankless job to maintain order. An article in *Nation's Business* describing the “bitter world” of police officers profiled underpaid, despised public servants who encountered racism themselves. “The policeman feels that the community is not behind him, that the press is generally against him, and that he has been abandoned by the courts,” it said.⁴² Police recruiting had experienced a downturn, it claimed, and some officers were quitting; false claims of brutality and misplaced blame for ghetto conditions contributed to a climate of cynicism and fear; an emphasis on individual rights and civil liberties by the Supreme Court, it argued, came at the expense of public safety and respect for men in uniform. Plenty of Americans would take issue with an article that sympathized with police more than the impoverished, but plenty more focused on respect for the law and punishing criminals agreed with this

⁴¹ Victor Palmieri to Richard Nathan, “Linking Social Programs and Civil Disorders,” Oct. 16, 1967, “Short Term Programs,” Box 3, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

⁴² “The Bitter World of the Policeman,” *Nation's Business*, October 1967, 85, “Attitudes,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

assessment. A fundamental division in American public life centered on law enforcement and its relationship with poor black communities. Were cops just doing their jobs and reacting earnestly to lawbreakers, or did their behavior only worsen an already racist society that criminalized black behavior and showed little sympathy for lives lost in ghettos? Summer riots demonstrated this debate as one that remained sharply divided, often across racial lines.⁴³

On October 6, Kerner and Lindsay held a joint press conference in Washington to update the press on the Commission's progress and clarify rumors related to the release of the interim report, specifically that both men supposedly lobbied for an "accelerated timetable" that would move the interim report's deadline up to December 15 rather than President Johnson's initial March 1 "target date" in order to give Congress "time to examine and perhaps implement its recommendations before the beginning of summer, when most urban violence usually occurs."⁴⁴ The news report also stated that Kerner, Lindsay, and Harris wanted to "issue immediate recommendations supporting the major elements of [President] Johnson's urban aid legislation," but that other commissioners had rejected this request on the grounds that it might harm the commission's "prestige" and "credibility" if it "were suddenly to take sides in legislative battles."⁴⁵

⁴³ An article in *The New Republic* from early October outlined the dilemma generated by the racial divide: "How is the national Democratic Party to placate alienated white working-class groups and garner the suburban support it needs...when it must also answer to a black bloc?" The authors subsequently predicted that the "articulation of Negro interests threatens to have disruptive and far-reaching disruptive effects on national political alignments." Frances Fox Piven and Richard A. Cloward, "Black Control of Cities—II," *The New Republic*, Oct. 7, 1967, 17, "Attitudes," Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

⁴⁴ Robert B. Semple Jr., "President's Panel on Disorders Will Speed Its Interim Report," *The New York Times*, Oct. 6, 1967, 35.

⁴⁵ Semple, "Panel on Disorders Will Speed Its Interim Report," *The New York Times*, Oct. 6, 1967, 35; neither Kerner nor Lindsay made reference to the report that they had made a futile effort to their fellow commissioners to push for supporting the president's domestic aid measures.

In the briefing, Kerner told the press he could not guarantee a completed interim report by mid-December but admitted accelerating deadlines would aid Congress and city governments insofar as influencing policymaking and the Johnson administration's program proposals for the following year were concerned. The Commission did not have a firm release date for its final report either, according to the chairman, but hoped to finish in May or June rather than the July 29, 1968 deadline; it had now completed 12 days of hearings with 75 witnesses, having most recently heard testimony from mayors of six cities as well as experts on social welfare and employment in impoverished areas.⁴⁶

"We have listened to the ghetto grievances, the grievances in jobs, the segregation difficulty of the Negro community," Kerner said.⁴⁷ It had also done extensive research and interviews on-location in Newark, Detroit, and Plainfield, among other cities; commissioners had visited 8 cities thus far, and staffers remained at work on surveys for the "25 to 30" profiles of riot-torn cities.⁴⁸ Kerner and Lindsay also mentioned the hiring of Milan Miskovsky, a 13-year Central Intelligence Agency veteran, as Director of Investigations for the Commission, reiterating no evidence of a conspiracy thus far while saying it would not be ruled out as fact-finding continued. Both commissioners issued strong denials when asked whether the lack of a black militant on the Commission reflected an inability to communicate with black militants.

⁴⁶ The most notable part of the mayors' testimony was Milwaukee Mayor Henry Maier calling civil rights activist and Catholic priest James Groppi a "white Uncle Tom" who had done a great deal of harm in the name of grandstanding and "wanting to get national publicity." The Wisconsin Democrat also offered a 39-point plan in his testimony that sought to address the "segregated metropolis" and emphasized that Groppi had done more to obstruct that plan than advance it. James Yuenger, "Groppi Called 'White Uncle Tom' By Mayor," *Chicago Tribune*, Oct. 7, 1967, "Newspaper Clippings Related to Commission," Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁴⁷ Otto Kerner and John Lindsay, Official Transcript of Before the National Advisory Commission on Civil Disorders, Press Briefing, (Washington D.C.: A.R.C. Inc., Oct. 6, 1967), 2, "Office of Congressional Relations-Clippings," Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁴⁸ James Yuenger, "Negro Despair Deep Seated, Kerner Finds," *Chicago Tribune*, Oct. 7, 1967, "Honorable Otto Kerner," Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

Most notably in the press conference, the governor touched on the feeling of inferiority possessed by many ghetto-dwellers in coping with housing and job discrimination and inferior educational opportunities. Kerner noted he was only speaking for himself—his experiences touring various riot-affected cities and listening to testimony—and told the press that the “white community of the United States is not aware of the existence of the problem...how deep and sensitive this is...the breadth and depth of the problem is greater than I had suspected.”⁴⁹ Offering the example of when a police officer referred to an African American man as “boy,” Kerner observed, “I am certain that that policeman would not speak to a white man the same way.”⁵⁰ Perhaps white Americans knew conditions were harsh, he said, but they did not grasp the extent of the poverty and desperation; it was up to the media, as well as the Commission, to convey the daily struggle of America’s black poor. The interim report would contain recommendations for all levels of government and the private sector, offering “a profile of the riots—of the rioters, of their environment, of their victims, of their causes and effects,” while the long-term recommendations would be withheld until the release of the final report and “make [riots] only a sordid page in our history.”⁵¹

On the same day, Ginsburg sent two memos related to the Commission’s interim report and timeline for the remainder of the calendar year. The first, sent to all

⁴⁹ Kerner and Lindsay, NACCD Press Briefing, (Washington D.C.: A.R.C. Inc., Oct. 6, 1967), 13-14, “Office of Congressional Relations-Clippings,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁵⁰ *Ibid.*

⁵¹ Nathan Miller, “Panel Rushes to Give Riot Report in ’67,” *The Baltimore Sun*, October 7, 1967, A1, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX. Asked whether computers would play a role in generating and compiling statistical data for the Commission to consult, Lindsay said research “would include the world of the computer—understanding very clearly that it is a tool to be used and not to be enslaved to.” Kerner and Lindsay, NACCD Press Briefing, (Washington D.C.: A.R.C. Inc., Oct. 6, 1967), 15, “Office of Congressional Relations-Clippings,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

commissioners, sought to finalize a timeline for remaining hearings and work dates. By mid-December, the Commission needed to conduct hearings on “possible action programs in the areas of employment, education, etc.,” “the role of private enterprise in dealing with urban problems,” and the “point of view of conservatives and conservative organizations.”⁵² Its top members also needed to participate in a conference on the role of the media and hold “a large number of sessions devoted to revising and acting on drafts of the interim report.”⁵³ Ginsburg tentatively listed the second weekend in November for the media conference, to be held in Poughkeepsie, New York, and slated November 20 to December 16 as time for work sessions on drafts of the interim report. The executive director had also notified President Johnson of what prompted the October 6 press conference: Mayor Lindsay had held an off-the-record sessions with media members prior to a round of commission hearings. The session was supposed to concern the Urban Coalition but quickly became about the Kerner Commission and its status. Although Lindsay had been forthright to his peers about holding the session, the discussion on the Commission’s progress was concerning enough for Ginsburg and Spivak to recommend holding a formal press conference. Johnson did not reply to Ginsburg’s memo, but Lindsay’s off-the-record meeting likely did little for a relationship with the president that was already strained. The following day, the *Wall Street Journal* reported that the

⁵² David Ginsburg, Memo to Commissioners, “Proposed Schedule of Meetings and Hearings Through Mid-December,” Oct. 6, 1967, “Correspondence: Commissioners,” Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX. One exchange between staffers David Chambers and Merle McCurdy centered on getting famed conservative pundit William F. Buckley to testify before the commissioners. Chambers told his colleague that if “Buckley is willing to appear, I suggest that we give him a freer rein...letting him talk, as he wishes, about America’s proper reaction to the riots—that is, tough imposition of law and order or massive aid or both, etc...Don’t you think we should let him have enough rope to hang himself if he wants to?” David Chambers to Merle McCurdy, “Monday Morning Meeting,” Oct. 12, 1967, “Merle McCurdy,” Box 2, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

⁵³ Ginsburg to Commissioners, “Proposed Schedule of Meetings,” Oct. 6, 1967, “Correspondence: Commissioners,” Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

Commission could “prod LBJ” in its report, move its original interim date up because “if you wait until March, summer is almost on us,” and ultimately remain split on “how much spending to propose” in recommendations.⁵⁴ Making matters worse, the *New York Daily News* ran a story publishing Lindsay’s supposed off-the-record comment that “even Mickey Mouse could beat LBJ [in an election] today.”⁵⁵

In addition to speculation about the timetable and methodology of its proceedings, the Kerner Commission also kept an eye on what was going on in Congress. On October 9, Ginsburg messaged the newly appointed Miskovsky, observing that “at some stage the Commission is bound to be asked to take a position on the major pending bills in the field of civil disorders,” specifically bills related to rioting and gun control.⁵⁶ According to Ginsburg, the Commission needed to anticipate the administration’s stance on these bills with an eye toward making “recommendations in the interim report or to respond to congressional inquiry if we’re solicited for our views.”⁵⁷ The anti-riot bill Ginsburg referred to had passed in the U.S. House of Representatives and was, as of early October, before the Senate Judiciary Committee. According to an article in the *Charleston (WV) Mail*, liberals serving on the committee had skipped meetings in hopes of killing the bill, much to the dismay of committee member and conservative linchpin James Eastland. With police officials reportedly telling the judiciary committee that Black Power agitators bore much of the responsibility for the riots, Senator Ted Kennedy and others had

⁵⁴ “Kerner’s Commission Probing Riots Plans an Early Report that Could Prod LBJ,” *The Wall Street Journal*, Oct. 6, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁵⁵ Ted Lewis and David Breasted, “Leak on Off-Record Talks Puts Lindsay Into a Spin,” *New York Daily News*, Oct. 7, 1967, “Honorable Otto Kerner,” Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁵⁶ David Ginsburg to Milan Miskovsky, “Pending Federal Legislation, Anti-Riot and Gun Control,” Oct. 9, 1967, “Anti-Riot and Gun Control Legislation,” Box 1 Series 48, NACCD, RG 282, LBJ Library, Austin, TX.

⁵⁷ *Ibid.*

protested, claiming that it was not the committee's job to investigate the riots. *The Wall Street Journal* described the committee as a complicated group, with members of "widely disparate ideological bent" who were "sitting atop a swirl of bills on riot instigators, gun controls, police training, wiretapping, court procedures, and fragments of the Administration's civil rights package."⁵⁸ The possibility remained that the committee might adjourn before resolving the measures related to rioting. At the same time, President Johnson had supposedly "indicated to White House callers he hopes to either neutralize this issue or turn it to his advantage by having the riot investigation monopolized by his own hand-picked [Kerner] commission."⁵⁹ Johnson and his advisers knew that "crime on the streets" would be a seminal issue in the upcoming election and thus wanted to "avoid having Congress place a glaring spotlight on big-city riots or pass the controversial anti-riot bill" opposed by "Attorney General Ramsey Clark, labor unions, and civil rights organizations."⁶⁰ Delays with the anti-riot bill and McClellan investigation were thus political victories for Johnson, who did not particularly trust any parties speaking on the riots beyond the commission he had formed and appointed himself.

Planning for the upcoming media conference in Poughkeepsie began in October. The conference would bring together media members and commissioners for a weekend of candid dialogue on the role of the press in covering riots. Organized by Abram Chayes, a Harvard law professor, it would consist of various roundtables through the

⁵⁸ Arlen J. Large, "New Legislation on Crime, Racial Violence Faces Obstacle in Senate Judiciary Unit," *The Wall Street Journal*, Oct. 12, 1967, "Legislation," Box 5, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

⁵⁹ Robert S. Allen and Paul J. Scott, "Committee Absenteeism Killing Anti-Riot Bill," *Charleston (WV) Mail*, Oct. 14, 1967, "Legislation," Box 5, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁰ *Ibid.*

weekend, inviting experts to lead the topical discussions and take questions and answers after their presentations. Ideally, Chayes wrote to commissioners, Poughkeepsie would “permit media representatives to meet with members of the Commission in an atmosphere hopefully free of the suspicion and hostility that might otherwise surround this kind of inquiry.”⁶¹ Commissioners would receive preliminary reports and statistics on riots and riot coverage prepared by the Simulatrics Corporation. The company would analyze key words and phrases from video tapes, film clips, radio broadcasts, newspapers, and magazines, searching for trends and connections related to how the media interpreted riot coverage. Invitations to the conference were sent to members of the Associated Press, United Press International, *New York Times*, *Newsweek*, *Washington Post*, *Los Angeles Times*, NBC, ABC, and CBS, among other organizations.⁶² Proposed speakers, in addition to those leading newspapers and television and radio networks, included Wilkins, Kerner, Lindsay, and Rustin. Commissioners would thus “appraise the outlook and problems of the media in race relations and riot coverage with the men who do the reporting and make the editorial decisions.”⁶³ Chayes planned to brief the commissioners at a dinner meeting on October 23.

⁶¹ Abram Chayes to Commissioners, Oct. 13, 1967, “10/1/67-12/31/67,” Box 386, FG 690, National Advisory Commission on Civil Disorders, White House Central Files, LBJ Library, Austin, TX.

⁶² Incidentally, a memo later in the month indicated that the *New York Times* refused to comply with requests related to the media conference. According to Chayes, representatives from the newspaper claimed they were “doing all right and did not have to talk about it.” Chayes responded that the request and media conference were “not a parlor game—the Commission is carrying out its official responsibilities and if the *Times* is doing fine, great, but we want to know what they are doing because the Commission has duties in this area.” The *Times* responded with a letter to Lindsay stating it “was a matter of considerable importance...that the press not be involved in government processes or decisions” lest “its own freedom of action become[s] limited.” The precedent set, the letter reasoned, could prompt questioning of media coverage of Vietnam and other controversial topics related to diplomacy and politics. Alvin Spivak to David Ginsburg, “Media Conference,” Oct. 25, 1967, “Media Conference,” Box 5, Series 46, NACCD, RG 282, LBJ Library, Austin, TX; *The New York Times* to John Lindsay, Oct. 30, 1967, “10/1/67-12/31/67,” Box 386, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁶³ Chayes to Commissioners, Oct. 13, 1967, “10/1/67-12/31/67,” Box 386, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

The memo came just a day after the DOJ's Office of Media Relations released a preliminary report on the news media and racial disorders indicating that the "evidence of repeated public opinion polls detailing the misconceptions of whites" on the riots and ghetto life indicated "great opportunities for the news media to help focus the attention of whites on the facts."⁶⁴ The brief report, written by African American Ben Holman, himself a former media member, observed that "many white people were deceived by the progress reported," failing to realize that many African Americans were not even second-class citizens.⁶⁵ It posed the question of whether reporting on riots worsened conflicts as well as whether the public's right to know outweighed the potential to exacerbate situations. It also compared Detroit, where the media withheld reporting on the rioting initially, with Newark, where news of the violence broke almost immediately. "There is clear evidence, and not from the Detroit moratorium alone, that this kind of voluntary restraint in the early stages, when there is some doubt as to the extent of the violence, can be of benefit to the community," Holman's report stated.⁶⁶ The ex-journalist contrasted the two cities' preparation, saying that in Newark, "newsmen had cause to wonder who were more hostile—the rioters or law enforcement officials," whereas Detroit had a "prior conceived plan for handling the news media in the event of civil disaster" that went "quickly and efficiently into operation."⁶⁷

⁶⁴ "The News Media and Racial Disorders—A Preliminary Report," Office of Media Relations, Community Relations Service, Department of Justice, October 12, 1967, 1, "Mass Media," Box 5, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁵ Leroy Aarons, "Justice Aide Scores Coverage of Racial News," *The Washington Post*, Oct. 17, 1967, "Office of Congressional Relations-Clippings," Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁶ "The News Media and Racial Disorders," Office of Media Relations, DOJ, October 12, 1967, "Mass Media," Box 5, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁷ *Ibid.*, 5.

The report also criticized some sources for what it perceived as “covering the disturbance as if they were war correspondents attached to a conquering army.”⁶⁸ Detroit reports “tended less to view the whole black community as a massive segment of the city in rebellion,” but those on the ground in Newark misguidedly gave “the impression that it was simply a battle of ‘good guys’ in blues and fatigues against hordes of black snipers, bombers, and looters.”⁶⁹ Training and advance procedures for every medium were critical, according to the release; it challenged the media to avoid recklessly spreading rumors and convey “the underlying causes of the dilemma and what must be done to resolve it” rather than simply chronicling the “fears and discomforts of whites caused by Negroes.”⁷⁰ The question of “who speaks for minorities,” Holman argued, was “aired but not resolved” in news coverage.⁷¹ The assessment not only reiterated claims of a racial disconnect—in this case, related to news coverage—tied to the perils of reporting on a violent, nebulous conflict, it also offered a preview of potential topics for commissioners and media members to discuss at the upcoming conference.

On October 17 and 18, staffers monitored a conference focusing on mass media and race relations held at Columbia University. The conference was not affiliated with the Kerner Commission but offered a preview of some of the chief talking points that would surface in Poughkeepsie. Among the points of contention was how the “white press” could fairly cover all-black ghettos. According to a memo from Alvin Spivak summarizing the conference at Columbia, attendees reached a consensus that the press

⁶⁸ “The News Media and Racial Disorders,” Office of Media Relations, DOJ, October 12, 1967, 5, “Mass Media,” Box 5, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*, 6.

⁷¹ Aarons, “Justice Aide Scores Coverage of Racial News,” *The Washington Post*, Oct. 17, 1967, “Office of Congressional Relations-Clippings,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

“must begin to cover [the ghettos] with trained, expert reporters on a continuing day-to-day basis instead of only in times of crisis and extreme success or failures.”⁷² The notion of when to cover riots, trust issues between ghetto residents and reporters due to a general ignorance of ghetto life and conditions, and the role of African American outlets going forward resonated with Spivak and fellow staffers determined to craft meaningful dialogue for their own event.⁷³ The conference, attended by representatives from various media outlets as well as civil rights organizations and federal agencies, offered harsh, sweeping criticism for much of the media’s riot coverage but noted that the *Washington Post* and *New York Times* had exceptional reporters who examined riots critically rather than sensationalizing.

At Commission headquarters, Kerner’s assistant, Kyran McGrath, sent his boss a memo expressing concerns over the role of commissioners in writing an interim report. McGrath described the “recurring discontent” among commissioners, specifically over receiving the interim report “at the eleventh hour, in time for them to add a few token paragraphs, but not in time to make any substantial alterations without jeopardizing the entire product.”⁷⁴ The schedule, he said, would not leave time for constructive feedback. According to McGrath, “Dave [Ginsburg] and Vic [Palmieri] have left themselves open

⁷² Larry Still to Alvin Spivak, “Conference on Mass Media and Race Relations,” Oct. 20, 1967, “Media: Correspondence,” Box 3, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁷³ In an address to members of the National Association of Broadcasters at the end of the month, FCC Commissioner Nicholas Johnson called for changes in mass communication in American cities and challenged local broadcasters to “tailor their output to the needs of their own community.” Johnson highlighted the white community’s ignorance of ghetto ills and acknowledged rumors, “an ancient form of communication, as one of the most difficult aspects of civil disturbance of any kind.” It was the media’s job, he said, to parse fact from fiction, to offer accounts that were responsible yet honest and did not “communicate a constant reminder of the Negro’s exclusion from the white community’s major means of mass communication.” Remarks of Nicholas Johnson, Federal Communications Commission, National Association of Broadcasters Regional Fall Conference, Boston, Massachusetts, Oct. 31, 1967, “Bibliography,” Box 2, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

⁷⁴ Kyran McGrath to Otto Kerner, Oct. 13, 1967, “Official Correspondence,” Box 1392, Series I, Otto Kerner Papers, 1947-1968, Abraham Lincoln Presidential Library, Springfield, Illinois.

to the allegation that the White House is writing the report, because they have left little time for the commissioners to do it themselves.”⁷⁵ Ginsburg and Palmieri had not only written the interim report, he said, they had generally steered clear of the special assistants for each commissioner, a decision that “reflected their attitude toward the commissioners” to “keep them busy and out of the way of writing the report.”⁷⁶ McGrath implied that during the time allotted for commissioners to give feedback to Ginsburg and Palmieri, the executive director spent so much time talking that commissioners found difficulty interjecting. He also expressed concern over the “quality of the factual results” from the research trips to the 26 cities; failure to run the statistics by academics or other experts, he feared, could discredit the report and cause the commissioners “to suffer along with the hopes of the public.”⁷⁷ Palmieri had supposedly expressed a desire to improve communications with the commissioners, but tension over who had the final say in articulating the Kerner Commission’s stance remained. In an October 15 memo to commissioners seeking to finalize the work program through December, Ginsburg announced planned open sessions for commissioners to meet with staff as well as “lunch meetings with only one or two staffers to promote freer exchange among commissioners only.”⁷⁸

On October 17, James Corman sent Ginsburg a four-page memo outlining his hopes for the Commission’s forthcoming interim report. Many of the congressman’s requests repeated material from public declarations and private discussions on a concise

⁷⁵ McGrath to Kerner, Oct. 13, 1967, “Official Correspondence,” Box 1392, Series I, Kerner Papers, 1947-1968; Lincoln Library, Springfield, IL.

⁷⁶ *Ibid.*

⁷⁷ *Ibid.*

⁷⁸ David Ginsburg to Commissioners, “Work Program Through December 15,” Oct. 15, 1967, “10/1/67-12/31/67,” Box 386, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

report that offered multiple points of view while reducing the chances of future conflicts. The report, he stated, needed to “establish the credibility of the Commission itself in the eyes of both the white and Negro communities,” adding that without “this credibility, the final report will be of little value.”⁷⁹ Corman wanted a cogent report that the average American could read—and understand—without “devoting more than a day to the effort.”⁸⁰ It needed to “fully and fairly explain the causes of Negro grievance” while also “reassuring the nation of our determination to maintain public order.”⁸¹ Slavery and its “corrosive effects” needed to be a centerpiece of the report, he said, given that the institution continued to separate and degrade African Americans 100 years after emancipation, but commissioners should not “condone or encourage” the violent solutions that “pose a substantial barrier to opening the minds of whites to constructive solutions.”⁸² Those advocating violence represented “growing desperation,” not the “genuine desires” of black communities across the country.⁸³

While white America no longer had the right or control to say who spoke for the black community, how white America responded—or did not respond, Corman noted—to black leadership was crucial to evaluating urban issues and producing solutions. He referred to the pages of testimony in the first two-and-a-half months of the Commission that spoke to the “appalling ignorance among white Americans concerning current conditions in urban ghettos.”⁸⁴ Corman suggested photographs or personal narratives instead of statistics to convey the destitution, telling Ginsburg it “is essential that the

⁷⁹ James Corman to David Ginsburg, Oct. 17, 1967, 1, “Commission Session Agenda,” Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

⁸⁰ *Ibid.*, 2.

⁸¹ *Ibid.*

⁸² *Ibid.*

⁸³ *Ibid.*

⁸⁴ *Ibid.*

Commission be brutally honest in this regard.”⁸⁵ These methods would give a “day in the life” glimpse that directly answered what Corman framed as the primary question many white Americans had related to the riots: “What do the Negroes want now? We’ve given them everything.”⁸⁶ The report needed to address this line of thinking directly, he said. It also needed a nuanced profile of law and law enforcement. Americans had to understand that while police faced “an extraordinarily complex and delicate job” in inner cities with “woefully inadequate support from the public,” courts and law were historically “more often the ‘enemy’ of the Negro rather than his ‘friend.’”⁸⁷ The memo made the congressman’s stance on riots and their solutions quite clear; anything less than an honest, reasoned evaluation in the interim risked losing the support of both the general public and those in power.

During several speaking engagements in October, fellow commissioner Katherine Graham Peden staked out a more conservative position than Corman on the riots and their solutions. At a press conference in Louisville, she told an audience that “in the ghetto the attitude seems to be one of destruction for any organization...this is a very strange phenomenon,” promising that the Kerner Commission would not release a “staid, old-fashioned government report.”⁸⁸ In St. Paul, she told a Business and Professional Women’s Association that the commission’s work was akin to “putting together a type of crossword puzzle” and noted that based on testimony thus far poverty was “a matter of both black and white rather than just the Negro poor...there’s a very striking similarity

⁸⁵ *Ibid.*

⁸⁶ Corman to Ginsburg, Oct. 17, 1967, 3, “Commission Session Agenda,” Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

⁸⁷ *Ibid.*, 4.

⁸⁸ “Miss Peden Decries Lack of Respect for Police,” *Louisville (KY) Courier-Journal*, Oct. 18, 1967, “Katherine Graham Peden,” Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

between the problems of the ghetto poor and the rural poor.”⁸⁹ She reiterated this stance at the Cincinnati Business and Women’s Club, saying that regardless of race, “the poverty of one is the concern of all.”⁹⁰ Peden recognized that the relationship between citizens and law enforcement was complicated—most rioters did not have respect for authority, but felt this way on an institutional rather than an individual basis, she claimed. She often spoke on behalf of women’s issues, claiming that women had a critical role to play in halting future riots, and said that improving employment and educational opportunities were important steps to prevent future disturbances. Among the commissioners, however, she was one of the firmest advocates of law and order, a position she had honed as a “get-tough” commerce commissioner in her native Kentucky. She had received high marks for stimulating job growth in her home state, particularly in the poorer areas of Appalachia. Curbing unemployment and launching “an industrial blitzkrieg” in Kentucky that yielded 140,000 new jobs led to the former radio station manager receiving a phone call from the White House.⁹¹ She remained resolute in fighting lawlessness, but eye-opening tours of riot-affected cities had softened her stance to an extent; a tour of Detroit had prompted her to compare it to East Berlin in World War II, and she spoke more of solutions beyond the hard-nosed, law-and-order rhetoric espoused upon appointment.

Rumors swirled among the national press in a relatively quiet period for the Kerner Commission. A *Washington Post* article reported that the commission intended to

⁸⁹ “Civil Disorder Panel Pushing to Finish Job,” *Minneapolis Star*, Oct. 20, 1967, “Katherine Graham Peden,” Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX; Carol Rolloff, “Disorder is Called Women’s Problem,” *St. Paul (MN) Pioneer Press*, Oct. 20, 1967, “Katherine Graham Peden,” Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁹⁰ “Kentuckian Asks Unity of Effort,” *Cincinnati Enquirer*, Oct. 21, 1967, “Katherine Graham Peden,” Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁹¹ “How Katie Makes Kentucky Grow,” *Business Week*, Sept. 9, 1967, “Katherine Graham Peden,” Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

link extreme right-wing and left-wing factions in its assessment of the riots, including unsubstantiated reports of right-leaning fanatics in Detroit who intended to “finance the racial holocaust” to discredit George Romney.⁹² Commission staffers were allegedly combing through tapes of newscasts amid tips from an informant that television crews “sometimes faked sensational scenes and provocative interviews in order to collect bonuses which reportedly were offered for footage shown on the news shows.”⁹³ Those touring riot-affected areas were reportedly convinced that “both the left and the right wingers tried to exploit Negro desperation for their own political purposes.”⁹⁴

A *Los Angeles Times* piece claimed the Kerner Commission and the Senate investigation on the riots chaired by McClellan might have “sharply different impacts on public opinion.”⁹⁵ Whereas the Kerner Commission sought to unearth the social, economic, and psychological factors surrounding rioting in America, the Senate subcommittee’s investigation seemed “destined to focus on agitators and law breakers and other sensational aspects of the riots, relegating to the background the underlying causes of ghetto unrest.”⁹⁶ The Kerner Commission had private hearings and largely guarded data that it would eventually submit to the public, while the Senate subcommittee planned to conduct televised public hearings beginning November 1 that were “likely to have far greater impact on public opinion than the considered findings set forth in the subcommittee’s final report.”⁹⁷ Although the emphasis of the investigation

⁹² Jack Anderson, “Probers Link Left and Right for Riots,” *The Washington Post*, Oct. 21, 1967, D15, “Reaction: Pre-Report,” Box 5, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁹³ *Ibid.*

⁹⁴ *Ibid.*

⁹⁵ Vincent J. Burke, “Rival Investigations of Riots May Have Different Impacts,” *Los Angeles Times*, Oct. 22, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁹⁶ *Ibid.*

⁹⁷ *Ibid.*

centered on law and order and the subcommittee's more conservative members, the final report would "likely reflect the views of the liberal-moderate wing of the subcommittee which could in a policy showdown outvote McClellan and other subcommittee conservatives."⁹⁸ However McClellan's group decided to word its report and diagnose the rioters, they had neither the time, nor the funding, nor the broad interest in their examination that the Kerner Commission did, thus there was a limitation on the reach of their final report. Although the Senate Permanent Investigations Subcommittee was unlikely to match the "emotional, visceral force" of the Kerner Commission's final submission, concern remained that McClellan's report might make commission recommendations to secure federal aid more difficult.⁹⁹

The Commission's final round of hearings for the month, which focused in part on "the role of the private sector in meeting the problems of the inner city," took place on October 23 and 24.¹⁰⁰ In addition to a list of banking, real estate, and manufacturing executives, Martin Luther King, Jr. and Los Angeles Mayor Sam Yorty were among the prominent speakers in these sessions. King, who would soon head to Birmingham to serve a five-day jail sentence stemming from defying an order not to march in the famed Birmingham Campaign of 1963, called for a civil rights camp-in to protest conditions in American slums. "The time has come to camp right here in Washington if we can't get something done," he told commissioners before proposing a \$20 billion per year program

⁹⁸ Burke, "Rival Investigations of Riots May Have Different Impacts," *Los Angeles Times*, Oct. 22, 1967, "Newspaper Clippings Related to Commission," Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁹⁹ Gerald Astor to Victor Palmieri, "The Aim of the Commission Report," Oct. 23, 1967, "Astor-Chron File," Box 1, Series 61, NACCD, RG 282, LBJ Library, Austin, TX. In this particular memo, Astor added that "without an emotionally charged document, I don't believe we can get either Congress or the American people to support the kind of program that will be necessary if we are able to be free from civil disorder."

¹⁰⁰ Chairman Otto Kerner, Opening Statement, Morning Hearing, Testimony, Before the National Advisory Commission on Civil Disorders, Oct. 23, 1967, "Commission Hearings-10/23, 10/24, 1967," Box 2, Series 31, NACCD, RG 282, LBJ Library, Austin, TX.

that would “provide jobs, wipe out slums, improve schooling and set up a guaranteed income system.”¹⁰¹ Ignoring the problems, he claimed, risked additional violence, but he also continued to tout a nonviolent approach for the camp-in; “I don’t think we accomplish anything by burning the city down,” he said.¹⁰² The camp-ins were an alternative to the shorter, nonviolent citizen protests that had embodied student activism within the civil rights movement earlier in the decade. King envisioned tents set up by activists with the intention of blocking traffic and entrances to federal buildings. The goal was a “middle road between riots and peaceful supplication,” according to King, who reiterated his criticisms of the Vietnam War and stated he did not expect any meaningful progress in slums as long as the war was the first priority.¹⁰³ Yorty’s testimony focused on industry’s move to the suburbs, rendering the inner city as “home of the poor, nonwhite, unskilled, undereducated, unstable and unhealthy.”¹⁰⁴ The mayor suggested incentives for industries to stay in cities, including increased public funding for urban industrial parks and federally guaranteed loans to businesses that moved back from the suburbs.

As October testimony came to a close, the commission also released portions of witness testimony from its September hearings. Garnering particular attention was the testimony of Ernie Chambers, a Nebraska-based black activist who did not mince words when he spoke with commissioners. The self-described “Omaha barber” vented to officials that African Americans had “marched, we have cried, we have prayed, we have

¹⁰¹ William J. Eaton, “King Threatens Rights Camp-In for Washington,” *San Francisco Examiner*, Oct. 24, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰² Tom Talburt, Scripps-Howard, “King Calls for Camp-Ins,” Oct. 24, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰³ *Ibid.*

¹⁰⁴ “Yorty Voices Race Views,” *Los Angeles Herald-Examiner*, Oct. 24, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

voted, we have petitioned, we have been good little boys and girls... We have done every possible thing to make this white man recognize us as human beings, and he refuses.”¹⁰⁵ Chambers, whom accounts said became increasingly emotional as he spoke, continued: “You can understand why Jews who were burned by the Nazis hated Germans, but you can’t understand why black people who have been systematically murdered by the government and its agents...you can’t understand why they hate white people.”¹⁰⁶ He directed his ire specifically at law enforcement, branding police as “an object of contempt” and a “paid and hired murderer” who preyed on “black people doing ordinary, reasonable, peaceful things in this country.”¹⁰⁷ Beyond racist police who were never held accountable “no matter what violence [they commit] against a black person,” Chambers identified public schools as complicit in reinforcing racial hierarchies.¹⁰⁸ Black children, he told commissioners, were taught to “respect authority” and “teach him his place” in the world.¹⁰⁹ “I wasn’t born with the attitudes I have now,” Chambers told commissioners, adding that they were “put in me by Crackers...I sat through [as it was being read in class] Little Black Sambo, and since I was the only black face in the room, I became Little Black Sambo.”¹¹⁰ Others had articulated Chambers’ worldview in various publications and before the commission, but few had offered such charged rhetoric; that this rhetoric was now public knowledge only amplified the commission’s research and ultimate task.

¹⁰⁵ Drew Pearson, “A Negro Militant Vents Frustration,” *Detroit Free Press*, Oct. 24, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰⁶ *Ibid.*

¹⁰⁷ *Ibid.*

¹⁰⁸ *Ibid.*

¹⁰⁹ *Ibid.*

¹¹⁰ *Ibid.*

As the commission heard such incendiary testimony in its closed-door hearings, it continued to monitor H. Rap Brown and search for possible evidence of conspiracy. The Commission's recently hired Director of Investigations Mike Miskovsky relayed that according to sources being corroborated by the FBI, Brown was affiliated with a group in Detroit that had constructed an armored vehicle and shipped it to a barn in Selma, Alabama. The IRS planned to put the barn under surveillance; a similar investigation honed in on one of Brown's major funding sources in Chicago, identified as a woman named Lucy Montgomery. The Commission relayed all of this information to Califano, who sent it on to the desk of President Johnson.

At the same time, it kept tabs on the field activity of McClellan's investigation; officials involved with the investigation had opened offices in Newark and Detroit earlier in the month and developed a reputation for aggression and relentlessness in fact-finding. Vick French, an aide of Senator Harris, reported on details of the subcommittee's investigation. McClellan's investigators had also examined summer riots in Houston and Nashville. In Nashville, they had "what they regard as hard evidence of communist background among some of the rioters and those who helped investigate the riots."¹¹¹ The memo also referred to speeches Carmichael had made there and an affiliation with noted radicals Carl and Anne Braden as having an influence on the riots. Houston did not have the same direct Communist involvement, but the subcommittee targeted Office of Economic Opportunity funds used to hire members of SNCC, characterized pejoratively as "a black nationalist organization."¹¹² In both cities, employees of the OEO had been involved in the rioting itself; French noted that "Chairman McClellan clearly intends to

¹¹¹ Vick French to Fred Harris, "Senator McClellan's Briefing," Oct. 27, 1967, 1-2, "McClellan Hearings," Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹² *Ibid.*, 3.

use this fact to castigate the poverty program.”¹¹³ Brown and Carmichael were “Communist sympathizers” who had “visited Cuba, North Korea, and Red China...thus clearly implying that nationally, at least, SNCC is both Communist-led and has committed something bordering on treason.”¹¹⁴ The classified information seemed to confirm what many involved with the Kerner Commission suspected all along: that McClellan’s investigation was more interested in smearing left-wing activists and the Democratic administration by linking them to an American adversary than it was in seriously addressing any of the ghetto conditions that caused violence. Writing to commission staff members, Kyran McGrath said he was “fearful that some of our reports, interim or otherwise, might contain a list of chronology different from sworn testimony received at Senator McClellan’s public hearings.”¹¹⁵ The discrepancy, he noted, “could be used to discredit the validity of other sections of our report,” thus he recommended staff members attend the public hearings in order to “cross-check” testimony with the information at commission headquarters.¹¹⁶

On October 28, Ginsburg forwarded to the commissioners a section from the Crime Commission report on police-community relations. The 19-member commission, formed by President Johnson and consisting primarily of law professors, had released its report in February 1967 and concluded that the 1965 Watts riots “expressed the increasing conviction of Negroes that legal methods of protest have not accomplished

¹¹³ *Ibid.*, 2.

¹¹⁴ French to Harris, “Senator McClellan’s Briefing,” Oct. 27, 1967, 5, “McClellan Hearings,” Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹⁵ Kyran McGrath to Commission Staff Members, Oct. 31, 1967, “Kyran McGrath,” Box 3, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹⁶ *Ibid.*

enough fast enough.”¹¹⁷ They were the “manifestation of a general sense of deep outrage, outrage at every aspect of the lives Negroes forced to live, outrage at every element of the White community in forcing Negroes to live such lives.”¹¹⁸ The section concluded with familiar requests for holding police accountable in instances of brutality, improving housing and schools, and ending job discrimination, in addition to the broader “psychological deprivation” that came with living in the ghetto.¹¹⁹ Ginsburg did not offer details on why he sent this section of the Crime Commission’s report to his own commissioners, but results from a recent meeting with social scientists who studied racial attitudes in America evoked the sentiments on police-community relations from February. The meeting reiterated that Watts was a “black-white confrontation” in the minds of those African Americans polled at the time.

Another survey referenced sought to quantify the “dissatisfaction index” of race relations in American life based on 1000 respondents and 30 to 40 “opinion leaders.”¹²⁰ Survey participants hailed from San Francisco, Cleveland, and Houston; the results of the attitude survey were then compared to the Crime Commission’s post-riot evaluation of Watts. Among those contacted, “only 9 percent of whites believed police brutality existed compared with 40 percent of the Negroes.”¹²¹ Researchers posited that “the ghetto prefers massive denial to insincere acknowledgement” of problems because it was “easier to deal

¹¹⁷ President’s Commission on Law Enforcement and Administration of Justice, Task Force Report, “Riots and Crime,” 116, Washington D.C.: Government Printing Office, February 1967; Enclosed in David Ginsburg to Commission, “Crime Commission Materials,” Oct. 28, 1967; “(10/25-10/31),” Box 1, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹⁸ Crime Commission Task Force Report, “Riots and Crime,” 121; Washington D.C.: Government Printing Office, February 1967; Enclosed in Ginsburg to Commission, “Crime Commission Materials,” Oct. 28, 1967, “(10/25-10/31),” Box 1, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹⁹ *Ibid.*, 122.

¹²⁰ Summary of October 27 Meeting of Survey Research Scientists Active in Studies of Negro-White Attitudes, Oct. 27, 1967, 5, “Attitudes,” Box 1, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹²¹ *Ibid.*

with an obvious enemy.”¹²² Respondents also articulated that integration “was not a prime goal in and of itself.”¹²³ Jobs, housing, and education all “rated more important” for African Americans than did sharing space with white people.¹²⁴ Those attending the social scientist meeting added that while another national survey of attitudes among whites and blacks would not necessarily aid individual cities, it could still be useful and might illuminate “how whites can be taught to distinguish between disorder and legitimate grievances.”¹²⁵ Despite the fact that one source had its origins prior to the 1967 riots and the other stemmed from very recent dialogue, the message in both, as it pertained to the Kerner Commission and its goals, was quite clear: realizing fully the extent of alienation in American ghettos and determining how to convey such alienation to a resistant or ignorant white readership.

Following up the issue from weeks prior concerning the commissioners’ influence on the interim report, McGrath wrote to Kerner on October 30 indicating that Ginsburg and Palmieri seemed more willing to let commissioners be directly involved. He had informed some within the staff hierarchy of the “weaknesses of the team trip reports.”¹²⁶ McGrath also disclosed that at an October 23 dinner meeting following a day of hearings, a discussion on the Poughkeepsie conference “ended abruptly” after several commissioners “took issue with its location, format, invitees, and the general way it was handled without their being given a chance to offer suggestions before the final version

¹²² Summary of October 27 Meeting on Negro-White Attitudes, Oct. 27, 1967, 6, “Attitudes,” Box 1, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹²³ *Ibid.*, 8.

¹²⁴ *Ibid.*

¹²⁵ *Ibid.*, 11.

¹²⁶ Kyran McGrath to Otto Kerner, Oct. 30, 1967, “Official Correspondence,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

was announced.”¹²⁷ In another instance, staff members conducting field research in Detroit were introduced to commissioners; the commissioners proceeded to grill the staffers, asking, “are we to look to these field trips for hard facts?”¹²⁸ The incidents rekindled the tension that had existed between commissioners and staffers from the outset. “Since that night, there’s been a marked change in attitude toward the special assistants, and toward trying to learn the attitudes of the commissioners before major steps are taken,” McGrath told his boss.¹²⁹ Peden and Corman had also approached him and said they believed Kerner and Lindsay were advising Ginsburg, which left them “somewhat disappointed at not being consulted.”¹³⁰ When McGrath replied that Ginsburg and Palmieri were calling the shots, the commissioners restated their desire to “reclaim the leadership in the drafting of the reports.”¹³¹ Most importantly, McGrath told Kerner, commissioners now allotted time to hold discussions without the staff present, having “learned their lesson in time to salvage a meaningful interim report.”¹³²

Ginsburg’s Halloween update to the commission on the progress of research and field research programs emphasized the massive undertaking that the Kerner Commission’s work entailed. The White House wanted national recommendations that could aid in future legislative action, and the Commission was using “to the maximum possible extent the existing resources of the federal government.”¹³³ The executive director then reeled off an exhaustive list of details: congressional relations sources,

¹²⁷ McGrath to Kerner, Oct. 30, 1967, “Official Correspondence,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

¹²⁸ *Ibid.*

¹²⁹ *Ibid.*

¹³⁰ *Ibid.*

¹³¹ *Ibid.*

¹³² *Ibid.*

¹³³ David Ginsburg to Commissioners, “Summary of Current Commission Research Programs,” Oct. 31, 1967, 2, “(10/25-10/31),” Box 1, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

federal and state agencies, multiple state disorder commissions, external consultants, and staffers both in-house in Washington and in the field were all consulted. Field teams in each of 35 cities sought a chronology of events and the factors that led to individual disorders in a given city for a “national perspective” on the riots.¹³⁴ Separate studies focused on crowd behavior and leadership structures; Ginsburg observed that in the field, it became apparent to staff members that “only Negroes would be able to obtain information from residents in ghetto areas,” affirming the deep distrust of white America among the urban poor.¹³⁵ Other program studies looked at conspiracy, community attitudes, and how particular cities were organized. Congressional relations staffers worked on position papers on how programs might be “initiated, altered, or improved” to alleviate social and economic conditions without massive expenditures, working under the assumption that neither the White House, nor Congress, nor the general public would express interest in spending more federal dollars on inner cities and that tax incentives could potentially compel private participation.¹³⁶ Combined with hundreds of hours of testimony from witnesses and tours of cities by each city, an interim report, distilled down into a cogent document that fairly considered the views of commissioners, staff, and witnesses, was a daunting task. With the staff and commissioners taking on such different roles, disputes over who had the final say were perhaps inevitable.

More details surfaced on the Commission’s plan for the interim report by October 31 as well. The *Washington Post* ran a story outlining the commission’s plans for training

¹³⁴ Ginsburg to Commissioners, “Summary of Current Commission Research Programs,” Oct. 31, 1967, 4, “(10/25-10/31),” Box 1, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

¹³⁵ David Ginsburg to Commissioners, “Summary of Field Research Programs,” Oct. 31, 1967, 2, “(10/25-10/31),” Box 1, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

¹³⁶ Congressional Relations Department to David Ginsburg and Victor Palmieri, “Position Papers,” Oct. 31, 1967, “Congressional Relations Papers,” Box 2, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

seminars for mayors and city department heads regarding slums, riot prevention, and improving performance when riots did arise. According to the article, the commission had “sent President Johnson a private recommendation” asserting that city and municipal authorities were more to blame for riots than officials at the federal level; the staff would conduct the in-depth studies and cross sections of various cities, and the final recommendations would be left up to the commissioners themselves. Sources also claimed the interim report would highlight “police relations with the minority community as the ‘precipitating cause’ for almost every riot,” with broad recommendations to overhaul jobs, housing, and education at the federal, state, and local levels.¹³⁷ The strained relationship between African Americans and police was cause for concern on its own, but it was especially problematic when contrasted with the largely peaceful interactions that suburbanites had with the same officers. The commission would reportedly attempt to convince the general public that the riots were not random, unpredictable spates of violence, but rather natural reactions from disillusioned communities.

The New York Times, meanwhile, ran a similar story, noting that “the panel generally feels that white America must be convinced that Negro riots are not simply senseless acts of violence but rather a complicated response” to the failings of local governments nationwide.¹³⁸ As evidence for this contention, the commission would reportedly emphasize Pittsburgh and St. Louis, two cities that had “escaped serious

¹³⁷ David S. Broder, “Riot Unit to Blame Cities,” *The Washington Post*, Oct. 31, 1967, A1. An October memo from Koskinen to Palmieri touched on the correlation between polarization of attitudes and police action, with one commission consultant telling staff, “it is crucial we explore the police problem without relying upon the police themselves to highlight issues for [you].” John Koskinen to Victor Palmieri, “Visit from Professor Lohman,” Oct. 30, 1967, “Central Files,” Box 1, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

¹³⁸ B. Drummond Ayres Jr., “Blame for Riots Placed on Cities,” *The New York Times*, Oct. 31, 1967, 30.

violence” due to local power structures—government, along with business and civic groups—that were “responsive to many of the needs of local Negroes.”¹³⁹ In contrast, officials in cities like Detroit and Newark supposedly had issues providing “community services” and remaining in “close communication” with the urban poor prior to the riots.¹⁴⁰ The articles were the public’s most in-depth glance at the Commission’s inner workings in its three-month existence.

As October drew to a close, Jenkins wrote to Ginsburg reflecting on the past month’s progress and what lay ahead. “I believe that above all else, the commission’s report must attempt to clarify the ‘why’ of the summer violence and vigorously recommend alternative courses of action which will prevent a recurrence of disorders,” wrote the Atlanta Police Chief, referencing an extended discussion the two had at a luncheon days earlier.¹⁴¹ The commission’s interim report, he wrote, needed to underscore how the population migration from the rural South to the urban North had yielded “people totally unprepared for city living...the great majority of these people are unskilled, uneducated, and most are Negroes.”¹⁴² Jenkins treaded familiar ground when referencing the housing segregation African Americans still endured in cities like Chicago and Detroit, which resulted in neighborhoods full of crime, poverty, unemployment, and health problems. “I believe if the commission could communicate the real feelings of desperation of the American Negro to the American white, half the problem would be solved,” Jenkins wrote.¹⁴³ This would entail a “massive rebuilding

¹³⁹ Ayres, “Blame for Riots Placed on Cities,” *The New York Times*, Oct. 31, 1967, 30.

¹⁴⁰ *Ibid.*

¹⁴¹ Herbert Jenkins to David Ginsburg, Oct. 31, 1967, “Honorable Herbert Jenkins,” Box 1, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴² *Ibid.*

¹⁴³ *Ibid.*

program in our cities financed by the federal government,” a concerted effort to answer the millions of African Americans who believed the white suburbs had left them behind.¹⁴⁴ Jenkins also included standard rhetoric about maintaining law and order, but his impassioned note to the executive director to address ghetto ills in a meaningful way—a note coming from a high-ranking police executive in a major metropolitan area in the South—spoke to the effect testimony and research had on commissioners. Whether Ginsburg and Jenkins’ colleagues would heed his call, however, was to be determined.

¹⁴⁴ Jenkins to Ginsburg, Oct. 31, 1967, “Honorable Herbert Jenkins,” Box 1, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

November 1967

A November 1 *Washington Post* editorial cartoon depicted a man in an overcoat and a pork pie hat, hurriedly walking past an African American mother and her two children. In the man's left hand was a briefcase labeled "Senate Investigation of Riots."¹ He told the woman, whose tattered dress bore a "Slum Problems" tag, "One side, Lady—We're Looking For A Conspiracy."² Based on the activity of the Senate's riot investigation thus far, the cartoon's assertion—that the Senate Permanent Investigation Subcommittee's goal was unearthing a conspiracy rather than the truth about ghettos—was a difficult one to refute.

Having searched for the roots of conspiracy since its inception, the Senate subcommittee's hearings in Houston, Texas, in early November seeking to link the previous spring's Texas Southern University (TSU) riots to SNCC radicals and workers on the Office of Economic Opportunity's (OEO) payroll came as no surprise. Chairman John McClellan had told the press that the investigation sought to determine "whether the outbreaks were spontaneous or if they were instigated and precipitated by the calculated design of agitators, militants, or lawless elements."³ Anyone familiar with the chairman, a conservative, ardent anti-Communist who did not see eye-to-eye with the Johnson Administration, had little doubt as to which way he and his allies on the subcommittee would lean. The portrait that emerged at hearings in Texas was of a campus overrun by radicals and inspired by a Stokely Carmichael speech to act violently and aggressively.

¹ Herbert Block, "One Side, Lady—We're Looking for a Conspiracy," Editorial Cartoon, *The Washington Post*, November 1, 1967, "Reaction: Pre-Report," Box 5, Series 39, Records of the National Advisory Commission on Civil Disorders, Record Group, 282, Lyndon B. Johnson Presidential Library, Austin, Texas.

² *Ibid.*

³ "Search Starts for Cause of Riots in U.S. Cities," *U.S. News & World Report*, Nov. 13, 1967, 53, "General," Box 2, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

Houston police official M. L. Singleton told investigators that the TSU militants sought to incite riots and had summer plans to continue the violence. In May rumors had spread of a little girl being shot, and chaos on the TSU campus had proceeded from there.

McClellan himself pressed the notion that the riot occurred because police had hesitated to act against campus radicals, asking one witness, “You mean that this hard-core group, this SNCC, actually took over the administration of the campus and so disrupted it that it could not operate in normal way?”⁴ The witness confirmed McClellan’s suspicion, and the Arkansas senator scolded the “weak law enforcement” that had freed brick-tossing, Molotov-cocktail-hurling students “who publicly advocate violence” without pressing charges.⁵

A campus climate described as “too dangerous” and “too inflammatory” had also dissuaded students from coming forward to identify the instigators. Houston Mayor Louie Welch testified that OEO members were “fomenting racial unrest” and that the subversive, Communist-sponsored W.E.B. Du Bois Clubs of America had advised SNCC members on campus prior to the riot. Contrary to previous claims that the OEO had hired militants and agitators to help them participate in constructive activities, the Senate investigation gravitated toward claims that those hired had promoted a Black Power agenda. “It is a sad commentary on law and order today; instead of arresting them, you give them jobs on taxpayers’ money...It’s kind of sickening when these kinds of things happen and nobody gets punished,” McClellan said.⁶ The following week, Nashville

⁴ “McClellan is Critical of Softness on Riots,” *The Washington Daily News*, Nov. 4, 1967, “Office of Congressional Relations-Clippings,” Box 1, Series 15, NACCD, RG, 282, LBJ Library, Austin, TX.

⁵ *Ibid.*; “Race: The Seeds of Riot,” *Newsweek*, Nov. 13, 1967, “Disorder,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

⁶ “Search Starts for Cause of Riots in U.S. Cities,” *U.S. News & World Report*, Nov. 13, 1967, 53, “General,” Box 2, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

Mayor Beverly Briley told investigators that a similar type of riot at Fisk University arose from troublemaking outside agitators preaching “a hatred for white people in general.”⁷

As was the case in the TSU riot, the OEO had ties to militants who had spent time on Fisk’s campus, a connection investigators and witnesses eagerly pointed out during the proceedings. In both Houston and Nashville, the investigation—much the same as with the James Eastland-led Senate Internal Security Subcommittee investigation—had no use for the source of black frustration, only the Communist and conspiratorial forces behind it; linking those forces to Johnsonian programs and liberalism more broadly would play to a conservative base eager to punish rioters and restore order.⁸

The Kerner Commission, meanwhile, maintained its low profile and deliberate approach to its own riot investigation. On November 2 the Commission issued a press release declaring that “any prediction about what the commission will or will not include in its report is speculative and premature.”⁹ The statement came in response to rumors that commissioners intended to blame city governments; they had, according to the statement, “arrived at no such conclusion.”¹⁰ Only when they had gathered all their evidence, heard all the testimony, and combed through all the relevant information would

⁷ “Outsiders Blamed for Riots,” *The Baltimore Sun*, Nov. 9, 1967, “Office of Congressional Relations-Clippings,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁸ Coincidentally, Deputy Attorney General Warren Christopher spoke across town at Rice Institute as the subcommittee chaired by McClellan conducted its hearings on the TSU riots. Christopher underscored the importance of police-community relations that could potentially avoid rumors and curb violence in the early stages of riots. He declined to discuss the Kerner Commission or riot-related legislation directly and discussed ways to improve police forces nationwide. “Police and community must talk together. There must be a conversation not a lecture. Fear and hostility must be replaced by respect and understanding,” he told the audience. Christopher also outlined an “intensive advance prep for dealing with anarchy.” Department of Justice Press Release, Warren Christopher speech at Rice Institute, Nov. 2, 1967, “November 2-November 16,” Box 2, Series 5, NACCD, RG 282, LBJ Library, Austin TX; Oswald Johnston, “Riot Control Plan is Mapped,” *The Baltimore Sun*, Nov. 5, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

⁹ Kerner Commission Press Release on Findings and Rumors, Nov. 2, 1967, “November 2-November 16,” Box 2, Series 5, NACCD, RG 282, LBJ Library, Austin TX.

¹⁰ *Ibid.*

the commission consider conclusions on the summertime riots. Thus far, it had only made two public recommendations: those related to diversity and training in the National Guard in August, and the Justice Department–sponsored seminars for law enforcement officials on police-community relations. A November 1 release by the DOJ outlined plans for the seminars, which intended to focus on, among other subjects, “techniques for controlling disorders, joint operations involving different police jurisdictions and the military, and police-community relations.”¹¹ The release quoted President Johnson as saying that the conferences, sponsored by the International Association of Chiefs of Police, would make “maximum use of the skills and experience gained by several agencies of the government, and of local officials who have been successful in preventing or controlling civil disorders.”¹²

Beyond these two on-the-record recommendations, the Kerner Commission’s research and leanings remained a mystery to the general public. A *Providence (RI) Bulletin* article claimed that the Commission would adopt a “defeatist attitude” and hesitate to propose “ambitious programs it believes Congress cannot or will not enact.”¹³ In Washington, closed-door testimony continued and staffers prepared for the mid-November 10-12 media conference in Poughkeepsie, N.Y. Members also monitored the upcoming elections across the country; *The New York Times* claimed that besides Vietnam, “the pressure of unmet urban needs is likely to be the dominant issue in 1968...the bid for power by Negro voters in the Northern cities may tear apart the complex coalition that has been the basis of Democratic Party power for 35 years,” a

¹¹ Department of Justice Press Release, Nov. 1, 1967, “Honorable Herbert Jenkins,” Box 1, Series 47, NACCD, RG 282, LBJ Library, Austin TX.

¹² *Ibid.*

¹³ “The Fires of Injustice,” *Providence (RI) Bulletin*, Nov. 4, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

coalition that the president was “relying on for victory next year.”¹⁴ Of particular note were African American candidates in several mayoral races whose campaigns would likely test the strength of the New Deal coalition, namely the loyalty of white working-class voters who had soured on the party’s steadfast commitment to racial issues.

The White House, for its part, seemed relatively unbowed by the concerns over disorder and forthcoming elections. According to a *Wall Street Journal* article, Johnson and his close advisers had a “magic formula” to stymie riots going forward and were keenly aware that “’68 re-election prospects could be as seriously threatened by U.S. cities as by prolonged violence in Vietnam.”¹⁵ As Congress prepared to vote on whether or not to slash antipoverty funding, the Administration found itself strapped and contending with the waning optimism over “glowing Johnsonian promises” in slums.¹⁶ Despite Vice President Humphrey’s previous calls for a domestic Marshall Plan, the combination of spending questions, a “tax increase in limbo,” and “inflation at the door” resulted in Johnson making it “perfectly plain that there could not be a new massive federal commitment.”¹⁷ Officials needed to offer job training for young black males within the existing framework of programs while simultaneously crafting a riot prevention plan that was not, as had been the case the previous year, a “grab-bag of

¹⁴ “Politics: 1967 and 1968—Race is the Main Issue in Tuesday’s Elections,” *The New York Times*, Nov. 5, 1967, “Political Structure-Elections,” Box 7, Series 24, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵ Monroe Karmin, “Administration Shapes Stopgap Plans to Avert Racial Violence in 1968,” *The Wall Street Journal*, Nov. 6, 1967, “Office of Congressional Relations-Clippings,” Box 1, Series 15, NACCD, RG, 282, LBJ Library, Austin, TX.

¹⁶ *Ibid.* In mid-November, Congress cut the poverty program’s spending ceiling by 22 percent—lowering from \$2.06 billion to \$1.6 billion—but kept it in tact. Supporters claimed victory given fervent Republican desire to slash spending, while critics remained adamant that the programs excluded poor whites, particularly in rural areas. Richard Lyons, “War on Poverty Skips Rural Whites,” *The Washington Post*, Nov. 16, 1967, “Office of Congressional Relations-Clippings,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

¹⁷ Karmin, “Administration Shapes Stopgap Plans,” *The Wall Street Journal*, Nov. 6, 1967, “Office of Congressional Relations-Clippings,” Box 1, Series 15, NACCD, RG, 282, LBJ Library, Austin, TX.

assorted programs hastily assembled in late winter and early spring.”¹⁸ Lastly, in addition to its efforts to placate and employ idle youths, Johnson’s team had to maintain surveillance on black militants, a task that had proven more difficult than anticipated to that point.

Academics that the Kerner Commission had contacted reinforced the notion that hope had faltered in many American slums and that the forthcoming months were crucial for rectifying this sentiment. “Right now we’re at the crossroads,” said Terry Knopf of the Brandeis University Lemberg Center for the Study of Violence. Knopf added that “only a reasonable commitment to alleviate legitimate grievances of Negroes, only a complete reshuffling of national priorities, can avert impending disaster.”¹⁹ As levels of resentment grew in the ghettos, white obliviousness remained as well. Knopf pointed to the “lack of information for whites as to how Negroes feel and the inability of our institutions to meet the need for change.”²⁰ In a reply to a query from staffer Louise Sagalyn, Boston University Professor Howard Zinn took a more drastic stance. Zinn wrote to Sagalyn that the Commission should make an effort to avoid framing its recommendations in terms of control, arguing that “the very concentration on ‘control’ is in itself one of the grievances of the ghetto, where the presence of police reinforced by soldiers is tantamount to occupation by a foreign army.”²¹ He offered two measures that he acknowledged would encounter resistance: that police cease using firearms entirely, and a withdrawal of centralized police control in cities in favor of “letting the ghetto set

¹⁸ Karmin, “Administration Shapes Stopgap Plans,” *The Wall Street Journal*, Nov. 6, 1967, “Office of Congressional Relations-Clippings,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁹ Nancy Doyle, “Can Urban Violence Be Controlled?” *Congress Bi-Weekly*, 10, Nov. 6, 1967, “Disorder,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin TX.

²⁰ *Ibid.*, 11.

²¹ Howard Zinn to Louise Sagalyn, Nov. 4, 1967, “Memoranda,” Box 2, Series 60, NACCD, RG 282, LBJ Library, Austin, TX.

up its own law enforcement system.”²² The radical transformation Zinn proposed entailed “billions of dollars for each major city in the country,” but he reasoned that the government could implement this policy and the benefits it would create by reversing the order of “70 billions for arms and two billions for poverty.”²³ Half measures, Zinn told Sagalyn, concealed the depth of the problem, and thus were worse than no measures at all. He offered harsh closing words for Kerner and his colleagues, stating that unless “the Commission bursts out of the frame in which it was created, and challenges the national government to reverse its priority system...its report will be another long, tedious, mildly interesting document, to be filed away and forgotten.”²⁴ While his proposals were entirely unrealistic, the alarmist rhetoric he and Knopf offered spoke to the need to address urban ghetto issues beyond platitudes and the *status quo*.²⁵

Not everyone within Kerner Commission ranks believed the organization had addressed these issues in earnest. On November 6, staffer Charles King sent his letter of resignation to David Ginsburg. In his letter, King deemed the policy precluding staffers from examining ongoing crises as “totally inconsistent with the hopes and aspirations that concerned citizens have” and declared the Commission’s “failure...to make this policy publicly clear....regrettable.”²⁶ King also mentioned the lack of hearings held in the ghetto, which he argued did not provide “adequate channels for grievances” for the

²² Zinn to Sagalyn, Nov. 4, 1967, ‘Memoranda,’ Box 2, Series 60, NACCD, RG 282, LBJ Library, Austin, TX.

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ Speaking in Washington, D.C. in early November, Whitney Young said the riots and subsequent Black Power movement meant that “[black] people are experiencing the thrill of saying what they’ve been feeling all of the time.” “Whitney Young Says Riots Aided Negroes,” *The Washington Post*, Nov. 6, 1967, “Office of Congressional Relations-Clippings,” Box 1, Series 15, NACCD, RG, 282, LBJ Library, Austin, TX.

²⁶ Charles King to David Ginsburg, Nov. 6, 1967, “Personnel-Charles King,” Box 1, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

“black John Doe” the Commission sought to assist.²⁷ For King, who had worked on staff as a program analyst, a Commission tasked with investigating riots excluded the voice of the average rioter at its peril. He criticized the “intense secrecy and tension” in Commission ranks, particularly in contrast to the McClellan’s investigation’s highly publicized smear campaign.²⁸ “As our Commission works in silence, the ‘subversive’ emphasis placed on the current Senate hearings will leave ghetto residents to resent the type of one-sided exposure and ask...why the President’s Commission is not active in the public hearing area?” he told Ginsburg.²⁹ Memos among Kerner Commission staffers raised the question of whether King had confidential commission documents that he intended to sell to the Milwaukee *Journal-Sentinel*. When confronted, King denied that he had taken the documents from the commission—he claimed he had obtained them while attending a Black Power Conference—and was informed that stealing property that belonged to the commission left him subject to criminal prosecution. King was scheduled to speak publicly in Wisconsin, but there was no indication he planned on bringing up his time working for the commission. “What we do about this one, I don’t know,” Merle McCurdy wrote to his peers.³⁰

King’s departure hardly affected day-to-day operations in Washington, but his critique and alliances spoke to a potential pitfall for the commission: the risk of losing the ghetto’s trust with both guardedness and a lack of diversity. Playing it safe could ultimately make final recommendations ring hollow. There was no evidence of

²⁷ *Ibid.*; Jean M. White, “Civil Disorders Adviser Quits in Dispute Over Gary,” *The Washington Post*, Nov. 8, 1967, A3, “Reaction: Pre-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²⁸ King to Ginsburg, Nov. 6, 1967, “Personnel-Charles King,” Box 1, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

²⁹ *Ibid.*

³⁰ Merle McCurdy to Staff, “Charles King,” Nov. 15, 1967, “Personnel-Charles King,” Box 1, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

commissioners or high-ranking staffers discussing King's letter, but the reasoning for his resignation spoke to a burgeoning black consciousness surrounding the Kerner Commission's endeavor that perhaps even the most educated white staffer or commissioner had difficulty grasping. The Johnson Administration continued to endure its share of criticism on addressing ghetto problems as well. In early November, the White House released a report prepared by the Departments of Labor and Commerce that rosily touted "signs of great improvement" in the emergence of the black middle class. Johnson said that the report "does not confirm the diagnosis of bleakness and despair, that there has been no progress for Negroes in America," and that it also did not "confirm the opposite view: that Negroes have been given too much."³¹ Statistics in the report pointed to an increase in household income for non-white families compared to 1947 and 1960, respectively. With financial success, however, came migration from non-white families out of the slums, making areas already socially and economically depressed even worse.

A November 7 article in the *Washington Post* levied harsh criticism at both the report and the Johnson Administration, claiming that the findings demonstrated that the Administration "lacks the intellectual capacity to frame a coherent strategy for dealing with what has been recognized for years as this country's principal internal problem."³² For both the Kerner Commission and the man who created it, doubt from both political sides continued over what constituted an adequate response to the riots and whether a final report or Johnson and his advisers would chart anything other than a middling

³¹ "Race: The Seeds of Riot," *Newsweek*, Nov. 13, 1967, 33, "Disorders," Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

³² Joseph Kraft, "White House Report on Negro Shows Up the Administration," *The Washington Post*, Nov. 7, 1967, "Office of Congressional Relations-Clippings," Box 1, Series 15, LBJ Library, Austin, TX.

course. This course signaled a problem for Johnson, as Commission research had also indicated that many urban poor “preferred massive denial to insincere acknowledgement since it is easier to deal with an obvious enemy.”³³ The sense that Johnson’s entire agenda consisted of politically motivated half measures thus threatened the goodwill he had generated with the Great Society.

Election day provided mixed reviews nationally on which party had political momentum heading into 1968. Although mayoral races in several cities yielded victories for black candidates, local and state elections also “produced a powerful undercurrent of white discontent over urban violence and Negro progress in society, even though the ‘white backlash’ did not altogether carry the day.”³⁴ Cleveland and Gary became the first major cities to elect African American mayors when they chose Carl Stokes and Richard Hatcher, respectively; in Boston and Philadelphia, conservative Republican candidates lost major mayoral races. On the other hand, several prominent races, including the Kentucky gubernatorial race, featured candidates who ran on anti-Johnson platforms and were victorious. Thinning Democratic margins in many strongholds encouraged Republican strategists, who interpreted the gains as a consequence of racial issues fracturing the Democratic coalition. Many of the victorious Republican candidates supported Richard Nixon, whom pundits labeled as a “major beneficiary of the strength of GOP conservatives.”³⁵ *The Washington Daily News* summarized the Democratic racial dilemma in part with a political cartoon depicting Rap Brown and Stokely Carmichael,

³³ David Ginsburg to Commissioners, “Attitude Survey Meeting,” Nov. 7, 1967, “November 2-November 16,” Box 2, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

³⁴ Robert Donovan, “Election Results Reflect Discontent of Whites,” *Los Angeles Times*, Nov. 8, 1967, “Political Structure-Elections,” Box 7, Series 24, NACCD, RG 282, LBJ Library, Austin, TX.

³⁵ David Broder, “Negroes Gained Despite ‘Backlash,’” *The Washington Post*, Nov. 9, 1967, “Political Structure-Elections,” Box 7, Series 24, NACCD, RG 282, LBJ Library, Austin, TX.

clad in sunglasses and jackets; two hacksaws labeled “Cleveland” and “Gary” cut a hole around the floor where the two stood. The tagline read, “Suppose They’re Trying to Tell Us Something?”³⁶ Not only did the Democratic Party hope to distance itself from black radicalism, it also hoped to elect viable African American alternatives; politicians like Stokes and Hatcher provided such an opportunity, demonstrating that blacks could make gains at the ballot box rather than through rioting and violence.

With the interim report deadline looming in mid-December, members of the Kerner Commission research team continued to discuss the proper approach to the report. One memo examined the McClellan language of “law and order” and “justice,” interpreting each as code for “control” and “punishment,” respectively. In contrast, the Kerner Commission needed to examine how “dark-skinned people, non-speaking English people, poor people—have been excluded from a full measure of justice and liberty” in America.³⁷ Staffer Howard Margolis described to Victor Palmieri the need to distinguish between the local view—focused mostly on maintaining and improving police-community relations—and the national view, which took into account larger social and environmental factors in American slums that needed repair. Margolis himself supported an emphasis on the “underlying conditions” of the national view—jobs, education, discrimination in ghettos—and acknowledged that even if broad recommendations did not accompany that view, it would still be “less damaging both to the Commission and to the Administration than criticism that the report is unsound or politically motivated in its

³⁶ Gene Basset, “Suppose They’re Trying to Tell Us Something?” Editorial Cartoon, *The Washington Daily News*, Nov. 9, 1967, “Political Structure-Elections,” Box 7, Series 24, NACCD, RG 282, LBJ Library, Austin, TX.

³⁷ Research Memo to Stephen Kurzman and Mel Bergheim, “Goldfarb Paper on Administration of Justice,” Nov. 9, 1967, “Critical Comments on Drafts,” Box 3, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

fundamental appreciation of the problem.”³⁸ He also pointed to David Ginsburg’s ties to the White House and the president’s “unconcealed predilection for controlling things” as reasons why the report focusing on the local view would draw criticism that the Administration did not want the Commission to focus on the national view for political reasons.³⁹ An emphasis on underlying conditions might be an indirect critique of the Johnson Administration, but for Margolis, it trumped pretending those conditions were satisfactory and concentrating on specific communities instead.

Prior to the media conference in Poughkeepsie, scheduled to begin on Friday evening, November 10, commissioners met that morning in Washington’s Statler Hotel. The meeting satisfied the desire to hold more closed-door sessions discussing issues surrounding the riots. With more time to discuss the issues themselves, the hope was that commissioners would develop more coherent ideas about recommendations, convey those ideas to Ginsburg, Palmieri, and the rest of the staff, and ultimately exert more influence on the text of the report itself. Commissioners had plenty of attention from the press and influence in the closed-door testimony, but the disconnect with the staffers researching and writing the report remained. The first meeting, according to minutes written by Kerner assistant Kyran McGrath, centered on the question, “What Causes Riots?”

By and large, the commissioners agreed that racial tension and a chasm between police and the poorer communities they served played significant roles in rioting. Businessman Tex Thornton began the proceedings by discussing white racial attitudes and predicted that racial antipathy—not the Vietnam War—would be the main issue in

³⁸ Howard Margolis to Victor Palmieri, Nov. 7, 1967, “Miscellaneous-Margolis,” Box 1, Series 60, NACCD, RG 282, LBJ Library, Austin, TX.

³⁹ *Ibid.*

the 1968 election.⁴⁰ While Thornton made it clear that the “big problem of race is the attitude of whites,” he did not offer a solution and had no interest in the Commission dwelling on the history of American racism. “Let’s not mention the slave background,” Thornton told his peers, in reference to framing a discussion about the roots of racism, adding that the Commission must “look ahead not behind to help the future...so many unrealistic whites say that Negroes built our nation and that we owe them something; well, they didn’t build it.”⁴¹ What was needed, Thornton told the Commission, was positivity and signs of progress. He also doubted forced open housing, asking, “why butt our heads against the wall of white attitudes?” Thus while he identified the problem of white racism, he did not seem interested in tracing the roots and reasons for that racism. He did not spare rioters in his criticism either, making it clear that rioters’ attitudes needed improvement as well. Thornton argued rioters did not deserve the same treatment as peaceful protesters and claimed ignoring law and order would “play right into the hands of militants who will use it as justification for violence...a lack of respect for the law...that’s what it is, and the report has to bring this out loud and clear.”⁴²

While commissioners generally agreed on the importance of law and order, Thornton seemed to take one of the more conservative stances with regards to race and its undertones in rioting and slum living conditions. James Corman pointed directly to race as the overarching, unifying cause of rioting and suggested an examination into that cause be left for the final report the following year. Herbert Jenkins blamed a genuine resentment against the system; frustration in cities, he said, had “developed a group of

⁴⁰ Kyran McGrath, Minutes of Kerner Commission Meeting, “What Causes Riots?” Nov. 10, 1967, “Minutes of Meetings of ACCD Staff,” Box 1392, Series I, Otto Kerner Papers, 1947-1968, Abraham Lincoln Presidential Library, Springfield, Illinois.

⁴¹ *Ibid.*

⁴² *Ibid.*

demagogues there and they resent everything.”⁴³ William McCulloch believed that race “maddens and goads most Negroes...it’s responsible for them being unemployed and causes an inferiority complex” and that poor housing “drives Negroes to the extremes they display.”⁴⁴ Katherine Peden cited a lack of church and civic responsibility: “people who see an accident and don’t stop to help are just as guilty as people throwing gas bombs,” she said.⁴⁵ Roy Wilkins pointed to police brutality as the top cause of rioting and wanted the commission to “be careful here not to offend the good police and also not to offend the good Negroes.”⁴⁶ The longtime NAACP executive had harsh words for black militants and called on them to display better leadership. “The militants don’t put a dime in Negro banks, in Negro insurance companies,” Wilkins said, adding that he hoped the Commission “has the courage to say it” in the report.⁴⁷ When Thornton pointed out that black ghettos had many small racketeers, Wilkins fired back, “yes, but they would have devoted their talents along legal lines if they felt they had an opportunity in white society.”⁴⁸ Wilkins and Thornton also sparred over the extent to which the Commission should emphasize open housing; Thornton wanted to avoid focusing on it because “we’re not going to change attitudes overnight,” while Wilkins did not want to “gloss over it” in the final report.⁴⁹ Thornton had also commented that poverty did not give 30 million Americans an excuse to riot, prompting Wilkins to respond that police brutality—and the circumstances that helped create the poverty Thornton alluded to—were reasons, not excuses, for rioting.

⁴³ McGrath, Minutes of Kerner Commission, “What Causes Riots?” Nov. 10, 1967, “Minutes of Meetings of ACCD Staff,” Box 1392, Kerner Papers, Lincoln Library, Springfield, IL.

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*

⁴⁹ *Ibid.*

Lindsay and Kerner waited for others to comment before offering their own opinions on causes of the riots. More than three months in, Lindsay had established himself as one of the more progressive—if not the most progressive—voices on the commission. “This needs action from every front, because the causes are multiple ones,” he told his fellow commissioners.⁵⁰ The New York mayor referred to the ghetto as “a state of mind” in addition to a harsh physical boundary.⁵¹ Continuing on what caused riots, Lindsay said:

Most street crimes now are done by kids, not the hard-core professionals as thought. This street kid, the group usually by-passed by kids and group efforts, is bright, an entrepreneur, and he lives by the code of the street... There is an extraordinary patience and sophistication and even humor in the ghetto. Humor explains why there are not riots where otherwise there might be. [It is] related to a state of mind, a circle from which ghetto people feed and believe there’s no escape... It’s sad that police have to carry the burden of ghetto conditions on shoulders. And you won’t solve their problems and riots, etc, until you move in with massive solutions to jobs, education, and housing, all of which in their absence create this circle of entrapment. This circle of problems is too much for the average person to climb over.⁵²

For Lindsay, a passionate liberal Republican and ardent critic of the White House, rioting and its causes transcended a few pithy phrases; it was complex and inconvenient. At times, it was a wonder it did not occur more often. Only when white attitudes ceased isolating the ghettos and black Americans felt they had sincere police protection and adequate opportunities could America start to find the answers to the rioting question. Such answers required improved jobs, schools, and housing conditions, and Lindsay would not parse words on these issues as the Commission’s second-in-command.

Finally, Chairman Kerner weighed in at the proceedings. In describing the backlash against police, Kerner said the average officer was “the closest thing to the

⁵⁰ McGrath, Minutes of Kerner Commission, “What Causes Riots?” Nov. 10, 1967, “Minutes of Meetings of ACCD Staff,” Box 1392, Kerner Papers, Lincoln Library, Springfield, IL.

⁵¹ *Ibid.*

⁵² *Ibid.*

government that ghetto sees; and he's usually white, and represents 'whitey' and all the things the ghetto hates in 'whitey.'"⁵³ The Commission needed to address both police-community relations and police tactics, he said. Kerner also took exception with a comment made by McCulloch about ghetto conditions; specifically, the congressman had said that other ethnic groups who had immigrated to America "got up and out" of ghettos "because they were able to find and keep jobs."⁵⁴ Kerner acknowledged this but drew the sharp distinction of skin color when differentiating between many ethnic groups and African Americans. Italians, Jews, Poles, and other groups could "become" American and palatable to suburban communities after a point in a way that African Americans and other dark-skinned immigrants simply could not. Ginsburg concluded the meeting by telling Commissioners that in the previous 48 hours, "there is some evidence of a conspiracy" and an "inquiry into the aftermath of the Black Power conference in Newark [in July] because all these riots followed [the conference]."⁵⁵ Investigators examined unconfirmed reports of "rooms in Detroit stacked with guns and firebombs," but there was still no confirmation of any type of conspiracy related to the rioting.⁵⁶ "We can't say there's nothing here, but there's still no basis for positive finding," Ginsburg said.⁵⁷ At that point, the meeting adjourned, and several commissioners headed North for the weekend in Poughkeepsie.

Seven commissioners, including Kerner and Lindsay, planned to spend all or part of the weekend in upstate New York, along with seven staffers. The conference began on

⁵³ McGrath, Minutes of Kerner Commission, "What Causes Riots?" Nov. 10, 1967, "Minutes of Meetings of ACCD Staff," Box 1392, Kerner Papers, Lincoln Library, Springfield, IL.

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

Friday afternoon, with limousines waiting to whisk arriving guests to a cocktail party and an evening reception. Kerner and Lindsay were scheduled to speak and give media members a sense of “what the Commission is trying to do.”⁵⁸ The chairman told the dinner audience that commissioners had just completed the nineteenth day of closed-door hearings, provided a timetable for the interim report and final report, and proclaimed it was “now the mass media’s turn to come under the microscope.”⁵⁹ They decided to get away from Washington to make the environment less formal and more open. “What do *you* people, who live with the coverage problems, have to say about all of this? And what about the racial aspects of news coverage, in general? Just as riots do not occur in a vacuum, neither does news coverage,” Kerner told participants.⁶⁰ Were the complaints lodged against media coverage of the riots fair? Did the press treat black Americans differently when reporting stories? Did coverage exacerbate the issues in riot areas? Kerner and his peers hoped the weekend would offer some answers to these questions.

In keeping with the goal of a “freer and franker” dialogue for the weekend, most of the conversation surrounding media coverage of riots was kept off the record.⁶¹ Roundtables encouraged give-and-take discussions throughout the weekend and touched on a variety of topics, including the responsibility of the media in riot cities, an

⁵⁸ “Proposed Agenda and Topics, Media Conference Schedule and Suggested Procedure for Roundtable Sessions,” Nov. 10-12, 1967, “Commission Staff Correspondence,” Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

⁵⁹ Otto Kerner, “Draft of Outline for Gov. Kerner at Media Conference Dinner Meeting, Poughkeepsie, NY,” Nov. 10, 1967, “Agenda (Poughkeepsie Conference),” Box 3, Series 39, NACCD, RG 282, LBJ Library, Austin, TX; Alvin Spivak to David Ginsburg, “Governor Kerner’s Keynote,” Nov. 3, 1967, “Correspondence,” Box 3, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁰ Kerner, “Draft of Outline for Gov. Kerner at Media Conference,” Nov. 10, 1967, “Agenda (Poughkeepsie Conference),” Box 3, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁶¹ *Ibid.* While there were few references to the media conference after the fact, Kerner did, in a memo to Ginsburg dated November 22, mention it briefly when discussing an attached newspaper clipping. “You will remember the dialogue and the sparring on that question, particularly at the Poughkeepsie meeting,” he wrote. The article in question broached the subject of what constituted a riot. Otto Kerner to David Ginsburg, Nov. 22, 1967, “Honorable Otto Kerner, Chairman,” Box 1, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

examination of how to cover an actual riot, and how to treat thorny racial issues in such coverage. Each topic had two sessions occurring simultaneously, one aimed at television and radio coverage, the other at newspaper and periodical coverage. Panelists presented papers in each session, with discussion following each presentation and a designated chair for each topic helping steer the conversation along the way. Problems addressed, according to the conference agenda, included “the dilemma of the reporters in publicizing and inadvertently glorifying snipers, fringe agitators, and others who contribute to the exacerbation of a riot” as well as “displaying law enforcement officials as ineffectual or unable to control the situation.”⁶² Another discussion posed the question, “can we report the news, yet avoid making public figures out of fringe agitators?”⁶³ Topics allotted time for discussing content that made it to air, how producers evaluated that content and, in the case of radio and television, whether delaying aired information of rioting and violence ongoing might serve the community. In both mediums, competitive pressures affected when and how outlets publicized riot coverage, particularly in the rapid world of television journalism.

After another reception, dinner, and informal discussion session on Saturday evening, attendees reconvened Sunday to discuss race and reporting, particularly how black reporters approached riot coverage. Could the media, perhaps, play a constructive role in conveying the plights of ghetto life to the rest of a particular metropolitan area?⁶⁴

⁶² “Proposed Agenda and Topics,” Nov. 10-12, 1967, “Commission Staff Correspondence,” Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

⁶³ *Ibid.*

⁶⁴ Earlier in the month, Koskinen had sent a memo to Ginsburg and Palmieri explaining that NBC had shown two documentaries on Watts and Detroit, respectively. The former included riot footage, as well as images of the ghetto as residents read poems and short stories of “despair, anguish, and desires of the ghetto residents”; it garnered a negative reaction and many complaints, prompting Koskinen to ask “if the networks do keep records of such responses” for the purposes of the commission’s focus on the media.

Could the press—especially the white press—report on other parts of ghetto life beyond crime and violence? Among those who led discussions on these topics were Bayard Rustin and Lerone Bennett Jr., both of whom had testified before the Kerner Commission. The session, titled “Getting Into the Ghetto and Getting the News Out,” also looked at how the disconnect in media coverage might contribute to “Negro alienation” and “white aloofness” in terms of race relations.⁶⁵ The media conference ended quietly on Sunday; one journalist and commission investigator stated at the conclusion of the weekend’s discussions that he still did not have a sense of how the commission felt about media coverage of rioting.

After a weekend to discuss media coverage in seclusion, commissioners and staff returned to the task of preparing the interim report. Otto Kerner’s assistant reminded him that commissioners should continue to “meet and engage in open discussion about the general contents and research effort for the final report.”⁶⁶ Taking charge of the final report’s direction would help avoid issues the Kerner Commission faced in its first three months where staff conducted research and wrote without having consulted commissioners themselves. A memo between staffers suggested the final report contain a bold introductory paragraph on race in America and add appropriate historical context. “A statement by this Commission can be very significant,” the staffer wrote, adding that the opening “must be sharp, clear, and direct.”⁶⁷ McCurdy wrote to Kerner and explained that before the commission could effectively pitch programs to curb riots to the general

John Koskinen to David Ginsburg and Victor Palmieri, “Media,” Nov. 3, 1967, “Central Files #2,” Box 1, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁵ “Proposed Agenda and Topics,” Nov. 10-12, 1967, “Commission Staff Correspondence,” Box 1, Series 44, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁶ Kyran McGrath to Otto Kerner, Nov. 15, 1967, “Kyran McGrath,” Box 3, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁷ Richard Nathan to Stephen Kurzman, “Comments on the Downs Outline,” Nov. 14, 1967, “Final Report Task Force,” Box 2, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

public, it needed to explain “that problems do indeed exist.”⁶⁸ Failure to do so, he told the chairman, would mean that “65 percent of the people (according to the polls) will continue to believe that Negroes are not disadvantaged in job opportunity, housing, etc., and 20 percent will continue to advocate shooting all rioters on site.”⁶⁹

By November 15 staffers had crafted a detailed outline for the commission’s interim report with the idea that “the final report will supersede the interim report.”⁷⁰ The outline included a summary of the most recent riots as well as historical context of past incidents, profiles of each riot city, how riots affected attitudes, an attempt to explain why riots occurred, a list of “Negro grievances” and how “actual conditions” in riot-affected cities spoke to those grievances, among other topics.⁷¹ Separate sections also intended to address the “analysis of conspiratorial elements and their role and potential dangers” and “the role of media” in covering disorders.⁷² In requesting a title for the interim report, Ginsburg joked privately that the prize for best title “has not yet been determined, but it will not be an autographed copy of the report nor a free trip to your favorite ghetto.”⁷³ The executive director added tongue-in-cheek titles such as “Riots I Have Known” and “A Day in the Life of Rap Brown” for good measure.⁷⁴ The outline’s organization was tailored according to President Johnson’s initial directive: section titles included the introduction, a report summary, a “what happened” portion, a “why it happened” portion,

⁶⁸ Merle McCurdy to Otto Kerner, Nov. 17, 1967, “General Counsel,” Box 1, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁹ *Ibid.*

⁷⁰ David Chambers to Long-Term Task Force Members, “Possible Outline,” Nov. 15, 1967, “Final Report Task Force,” Box 2, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

⁷¹ *Ibid.*

⁷² *Ibid.*

⁷³ David Ginsburg to Staff, “Title for Interim Report,” Nov. 17, 1967, “Central Files #2,” Box 1, Series 37, LBJ Library, Austin, TX.

⁷⁴ David Ginsburg to Staff, “Title for Interim Report,” Nov. 17, 1967, “Central Files #2,” Box 1, Series 37, LBJ Library, Austin, TX.

and a conclusion.⁷⁵ Its detail spoke to the exhaustive studies conducted up to that point by the commission on both the specifics of riots and local attitudes toward them as well as a more wide-ranging, sociological survey of their causes and effects.

As detailed outlines of the commission's interim report began to circulate, conservative critics continued to chime in on where to direct blame for the summer riots. Syndicated columnist Joseph Alsop wrote that the violent rhetoric and actions of Black Power leaders had escalated to the point that the FBI needed to take note. Alsop also linked Cuban funds to "the misnamed SNCC" and refused to rule out conspiracy as a driving force behind black militants.⁷⁶ Georgia Senator Herman Talmadge wrote an editorial arguing that instead of "sociological excuses," the Kerner Commission needed to stress "personal and private initiative" as well as "respect for law and order, the proper way to seek a redress of grievances in our country, and the duty and responsibility of individual citizens."⁷⁷ Talmadge added that the commission's report needed to "emphasize more than ever that people do not have the right to take the law into their own hands and there can be no apologies or excuses for rioting, shooting, and beating in the public streets of America."⁷⁸ Another syndicated column from Robert Novak and Rowland Evans described an icy interaction between commissioners and black militants in Detroit and led with the eye-catching headline, "Riot Commission Finds Deep Hate of

⁷⁵ Chambers to Long-Term Task Force Members, "Possible Outline," Nov. 15, 1967, "Final Report Task Force," Box 2, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

⁷⁶ Joseph Alsop, "Guerilla Warfare Real Danger of Uncontrolled Black Power," Nov. 15, 1967, "Newspaper Clippings Related to Commission," Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

⁷⁷ Sen. Herman Talmadge, "Riot Commission Should Stress Need for Law, Order," *Acworth (Ga.) North Cobb News*, Nov. 16, 1967, "Reaction: Pre-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁷⁸ Talmadge, "Riot Commission Should Stress Need for Law, Order," *Acworth (Ga.) North Cobb News*, Nov. 16, 1967, "Reaction: Pre-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

White America by Negro Left.”⁷⁹ The article posed the question of whether extremists clad in African garb spoke for the entire ghetto, then raised the possibility that perhaps they did. A *Birmingham News* editorial cited the Novak and Evans and Alsop pieces, respectively, as evidence that black militants wanted to destroy the American “system,” that they were not real civil rights leaders but rather “subversives committed to the violent destruction of American society...and they should be dealt with as such—and quickly.”⁸⁰ The *Los Angeles Times* noted that the “existence of black revolutionaries whose ability to trigger and control violence” had become “the country’s most dangerous problem...including Vietnam.”⁸¹ Responses on the Right ranged from calculated, classic uses of anti-communism and law and order rhetoric to more incendiary, fear-mongering language on black militants.

From the Left, meanwhile, came speculation that the commission would press for a “ringing condemnation” of racism in America in its report, detailing how many rioters were guilty only of being black in a predominantly white society.⁸² “For too long, white people did not care or they believed black people did not care,” Tom Wicker wrote on November 19 in *The New York Times*.⁸³ The columnist added the progress within the Johnson Administration spoke to why there would be pressure for “a strong statement

⁷⁹ Rowland Evans and Robert Novak, “Riot Commission Finds Deep Hate of White America by Negro Left,” Nov. 17, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

⁸⁰ “False ‘Leaders,’” Editorial, *Birmingham News*, Nov. 20, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

⁸¹ “Riot Commission,” *Los Angeles Times*, Nov. 17, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

⁸² Tom Wicker, “In the Nation: Racism in America,” *The New York Times*, Nov. 19, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

⁸³ Wicker, “In the Nation: Racism in America,” *The New York Times*, Nov. 19, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

pointing straight to racism in America.”⁸⁴ Wicker argued that until “white America faces up to its own attitudes, it cannot face up to the ultimate question—whether it wants repression or integration, a decent order or social chaos, one people or apartheid.”⁸⁵

David Ginsburg and his colleagues were keenly aware of these vantage points as the date for an interim report loomed. In a memo to the eleven commissioners titled “Final Report Options,” Ginsburg wrote that the commission needed to decide whether it wished to try and sway the American public on three issues: first, that the “cause of recent disorders is embedded in our social system”; second, that force and repression against the violence was not a viable strategy; third, that correcting the causes from the first point was both “necessary” and “feasible.”⁸⁶ He acknowledged that the nation needed the recommendations well before the following summer but stated that the commission needed to be realistic given the “prevailing attitude of the white majority.”⁸⁷ That attitude trended toward punishing rioters, Ginsburg claimed, thus recommendations needed to address public safety in the interval between mid-December and whenever the commission released its final report. The final version of the commission’s findings could potentially “offset a white trend toward repression and a Negro counter-reaction to that trend” as well.⁸⁸ The commission needed to convey the cost of upholding the *status quo* and provide a “vivid portrayal of what the nation will look like in twenty years if a policy of repression and essentially no change in the social structure is pursued.”⁸⁹ Ginsburg and

⁸⁴ *Ibid.*

⁸⁵ *Ibid.*

⁸⁶ David Ginsburg to Commissioners, “Final Report Options,” Nov. 20, 1967, “November 20-November 28,” Box 2, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

⁸⁷ *Ibid.*

⁸⁸ *Ibid.*

⁸⁹ Ginsburg to Commissioners, “Final Report Options,” Nov. 20, 1967, “November 20-November 28,” Box 2, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

his colleagues ascribed to the idea of maintaining law and order, but that maintenance could not be at the expense of the broader, underlying conditions that triggered riots.

Despite previous indications that the commission had made up its mind, another issue was determining the relationship of the interim report to the final report. Palmieri had told Hale Champion of Harvard's Kennedy School of Government that "we have an opportunity to produce an important piece of work and I am anxious not to blow it by treating it superficially in the interim report," and Ginsburg himself was cognizant of the importance in determining how each report would inform the other.⁹⁰ Would the latter document supersede the interim findings entirely, or serve as more of a supplement to those findings? Would the commission consider whittling fieldwork conducted in 23 cities for the interim down to fewer, more in-depth profiles for the final product? Would public hearings perhaps strengthen the commission's reputation and "create a sworn record of public testimony...as a more credible and visible base for the commission's findings and recommendations"?⁹¹ Ginsburg outlined the advantages and drawbacks posed by public hearings. Open hearings, he said, provided a "sustained and uniquely powerful means of gaining attention...they involve risks, but the potential benefits are great."⁹² While they could demonstrate transparency in the process of gathering testimony, even "potentially allowing some [citizens] to participate," hearings might also "preclude witnesses from explaining the difficult problems under study."⁹³ Putting officials on trial by gauging "their effectiveness in handling the problems" of the ghetto

⁹⁰ Victor Palmieri to Hale Champion, Nov. 20, 1967, "Central Files #2," Box 1, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

⁹¹ Ginsburg to Commissioners, "Final Report Options," Nov. 20, 1967, "November 20-November 28," Box 2, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

⁹² *Ibid.*

⁹³ Ginsburg to Commissioners, "Final Report Options," Nov. 20, 1967, "November 20-November 28," Box 2, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

had the potential to backfire, and public hearings might also “possibly exaggerate the importance of extreme positions in the Negro and white communities by providing those who espouse them with a platform.”⁹⁴ Given the number of witnesses who had testified privately before the commission to that point, how and when the prospect of public hearings would affect the broader proceedings was not altogether clear. Ginsburg concluded with a tentative, shorter outline for the commission’s final report than the one Chambers had sent staffers days earlier. The outline included a “Potential For Our Cities” section that would address what would occur if “there is no change in political, social, economic structure,” background on the violence epidemic, a profile of 1960s riots in terms of frequency, intensity, and the roots of black alienation, and the basic causes that included discrimination, segregation, and poverty.⁹⁵ The outline would also feature sections on black and white attitudes as well as one seeking to answer “How Can We Change the System?”⁹⁶

On November 20, commissioners held their second meeting of the month and discussed the prospect of pushing back the mid-December deadline of the interim report, a deadline originally set by staff members. “We told news media that only staff work could be done by December 16,” Kerner told the other five commissioners in attendance, adding that the commission could “go into January and we likely should to get out a good report.”⁹⁷ Minutes show that the commissioners did not discuss pushing back the interim deadline extensively, but Kerner’s comments spoke to both the uncertainty surrounding the commission’s timetable as well as the disconnect between commissioners and staff.

⁹⁴ *Ibid.*

⁹⁵ *Ibid.*

⁹⁶ *Ibid.*

⁹⁷ Minutes of Kerner Commission Meeting, Nov. 20, 1967, “Minutes of Meetings of ACCD Staff,” Box 1392, Kerner Papers, Lincoln Library, Springfield, IL.

Discussion turned to the language of the report and how it “read” to each commissioner. Peden brought up the idea of making the report “more readable to hill folk in Kentucky,” while others honed in on how the report described poor neighborhoods.⁹⁸ “We’ve got to use abrasive language and keep emotion in this report,” Kerner said.⁹⁹ Wilkins agreed, saying that if “we don’t use some abrasive language in our report, we won’t rock the country.”¹⁰⁰ Thornton challenged the idea that the language made disorder seem a “chronic condition of the ghetto,” when, in fact, many hard-working families lived in these neighborhoods. When Ginsburg argued disorder was a symptom of ghettos, Wilkins disagreed, saying, “in New York, everything North of 110th Street is referred to as ghetto, but all people up there aren’t bent on disorder or Lindsay wouldn’t be able to walk the streets...[ghetto has] a different meaning today.”¹⁰¹ Lindsay told his peers he could not find a better word in the dictionary, while Jenkins said the word was seldom used in the South and did not “set well” with him.¹⁰² On the topic of racial discrimination more broadly, Wilkins reiterated that it characterized all of society. When Thornton fired back that “other ethnic groups know deprivation, too,” the NAACP executive said, “yes, but not like Negroes had to face.”¹⁰³

Wilkins and Thornton also sparred over ghetto violence in the meeting. The former framed black violence as “usually retaliatory in nature from white violence.” Thornton disputed the idea that “Negroes are without adequate channels...and that all

⁹⁸ Kerner seemed skeptical of the idea that the commission needed to tailor the language in its report to the average American. “How many will really read this?” he asked. Ginsburg replied that initial plans called for printing 50,000 copies and trying to “keep [the report] as short as possible,” though there is no evidence of Kerner’s reaction on this point. *Ibid.*

⁹⁹ *Ibid.*

¹⁰⁰ *Ibid.*

¹⁰¹ *Ibid.*

¹⁰² *Ibid.*

¹⁰³ Minutes of Kerner Commission Meeting, Nov. 20, 1967, “Minutes of Meetings of ACCD Staff,” Box 1392, Kerner Papers, Lincoln Library, Springfield, IL.

mass grievance is real.” Wilkins responded that “in regards to submitting to the ‘system,’” Thornton and much of white America needed to remember that it was “not voluntary, but forced.”¹⁰⁴ This dialogue reflected the difficulty of discussing violence and race as they related to riots; across racial and political lines there existed sharp divisions as to whether grievances were legitimate and just how dire circumstances in the inner city had become. Thornton was a successful businessman who had cut his teeth in the private sector, but he was not an ardent right-winger; his doubts mirrored those of many moderates and right-of-center Americans who saw a violent minority of rioters within ghettos who wished to lay the blame on everyone but themselves for the destruction they had wrought. Underlying the violence and the conditions that bred it, Wilkins told his colleagues, was the strained relationship between police and ghetto. Jenkins characterized the issue not as one of police brutality but rather “police inefficiency and police corruption.”¹⁰⁵ When McCulloch asked a question about quantifying police brutality, staffer Robert Shellow answered it was “more a state of mind” and that the staff “[couldn’t] really find many facts on brutality.”¹⁰⁶ The commission needed to separate fact from fiction with brutality, according to McCulloch, who doubted there was “police brutality with every arrest.”¹⁰⁷ Ginsburg interjected that commission “would not break new ground” on the subject, which the Crime Commission had previously addressed, and added that the Kerner Commission would not want to “undermine or indict the police” in the report.¹⁰⁸ Minutes also indicated a discussion of the relationship between police and

¹⁰⁴ *Ibid.*

¹⁰⁵ *Ibid.*

¹⁰⁶ *Ibid.*

¹⁰⁷ Minutes of Kerner Commission Meeting, Nov. 20, 1967, “Minutes of Meetings of ACCD Staff,” Box 1392, Kerner Papers, Lincoln Library, Springfield, IL.

¹⁰⁸ *Ibid.*

the ghetto being a “two-way street” in terms of instigation, and that the police were not always at fault. To the extent that the commissioners could classify police brutality appropriately, the discussion seemed to show that they would choose their words carefully when describing police-community relations, even when research compiled by the commission itself revealed police brutality to be a substantial issue in many communities.¹⁰⁹

Discussion also turned to the power of rumors during riots. “In downtown and white communities rumor isn’t that much, but in black communities it flies like fire,” Lindsay said.¹¹⁰ Wilkins cautioned against giving the rhetoric of Brown and Carmichael “too much significance...get white condemnation and you make a Negro a hero.”¹¹¹ Addressing whether a correlation existed between black militant speeches and riots, Kerner said, “we can’t treat this rhetoric as important as police” because “too many whites attribute riots to Carmichael and Brown.”¹¹² Regardless of just how much incendiary speeches fueled rioting, public opinion against young, black militants was such that the commission needed to tread lightly when evaluating those militants’ words. Also of note was distinguishing between organized activity in riots and whether that

¹⁰⁹ This closed-door dialogue also preceded the November release of testimony from police officials Wilson Purdy and Howard Leary given in September. The statements criticized rioters entitled to “disobey any law with which they do not agree” and characterized police brutality as often exaggerated. Leary told commissioners that a common rumor sparking riots was the beating of a pregnant woman, but that this had not happened once. Purdy had said, “you could send men in [to the ghettos] armed with powder puffs and bibles” and accusations of police brutality would exist. While law enforcement obviously had self-preservation in mind when speaking on its role in riots, the testimony offered a viewpoint of police-community relations that differed from many commission staffers seemed to have found. Jean White, “Police Dissect Riots for U.S. Panel,” *The Boston Morning Globe*, Nov. 24, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX; “Rumors ‘Key’ to Riots,” *Chicago Tribune*, Nov. 24, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

¹¹⁰ Minutes of Kerner Commission Meeting, Nov. 20, 1967, “Minutes of Meetings of ACCD Staff,” Box 1392, Kerner Papers, Lincoln Library, Springfield, IL.

¹¹¹ *Ibid.*

¹¹² Minutes of Kerner Commission Meeting, Nov. 20, 1967, “Minutes of Meetings of ACCD Staff,” Box 1392, Kerner Papers, Lincoln Library, Springfield, IL.

activity entailed a criminal conspiracy. Of the commissioners present, Thornton most supported monitoring the conspiracy angle, pointing to commission witness Ernie Chambers saying in his testimony that “we’ve been in touch with North Vietnamese” for training purposes.¹¹³ “That implies criminal conspiracy right there,” Thornton said.¹¹⁴ Brutality did exist, Wilkins said, but he did not wish to elaborate. He did say, however, that he had heard how the commission ultimately would not do much, like other commissions, and that he had begun to believe that himself. McCulloch reassured his colleague that it would be good, and Lindsay stated the commission had to “go beyond jobs, education, and housing or our final report won’t be worth doing.”¹¹⁵ Senior staffer Jimmy Jones expressed confidence in the staff’s work to that point but admitted that after hearing the commissioners speak, he was “fearful about what will be done with these hard-hitting facts, that the commission might be too chicken to use it.”¹¹⁶ Adding to the tension was Ginsburg’s admission that he had “no idea what to tell the staff, which is posed and awaiting instructions on what position to take at this point” on the matter of how federal, state, and local authorities would coordinate on riots going forward.¹¹⁷ As with most commissioner meetings, the minutes reflected feelings of uncertainty and tension as to how the commission should address certain riot issues and how the public might react to various positions on those issues.

On the same day that commissioners conducted their second closed-door meeting of the month, *Newsweek* published a wide-ranging special report titled “The Negro in America: What Must Be Done” on how to address the problems in the nation’s ghettos.

¹¹³ *Ibid.*

¹¹⁴ *Ibid.*

¹¹⁵ *Ibid.*

¹¹⁶ *Ibid.*

¹¹⁷ *Ibid.*

Ginsburg had written editor-in-chief Osborn Elliott after reading an advance issue and called the report “admirably done” and “worthy of high praise who have given intensive consideration to the problems and proposed solutions set forth.”¹¹⁸ Preceding the report and its 12-point program of action was an introductory note from Elliott titled “A Time for Advocacy.”¹¹⁹ Elliott wrote that the magazine’s staff had “had started with a question: what to do? And they came back with the conclusion that nobody really knows...not [even] the Negroes themselves.”¹²⁰ *Newsweek* did have a program for action despite this ambiguity, a program constructed on the premise that America had failed its minority citizens and had the ability to rectify that if it chose to do so. “Most of the talk about the racial situation is profoundly pessimistic,” Elliott wrote, adding that a Detroit militant who said he had “hope, but not a hell of a lot of faith” spoke for “more influential Americans than he imagines.”¹²¹ Much of the special report covered familiar ground. The riots, described as “the most sustained spasm of civil disorder in the violent history of a violent country,” had changed “America’s comfortable image of itself.”¹²² There was the cycle of blame—from liberals criticizing Johnson for betraying domestic commitments to conservatives scolding black militants to those same militants scolding large swaths of white America in return for ignoring ghetto problems. “Why can’t history’s most affluent, technologically advanced society act to make a black man a full participant in American life?” the report asked its readers. The answer, it said, was “a meld of ignorance and indifference, bigotry and callousness, escapism and sincere

¹¹⁸ David Ginsburg to Osborn Elliott, Nov. 16, 1967, “Correspondence-Press,” Box 2, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹⁹ Osborn Elliott, “A Time for Advocacy,” *Newsweek*, Nov. 20, 1967, 32, “Newsweek,” Box 6, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹²⁰ *Ibid.*

¹²¹ *Ibid.*

¹²² “The Negro in America: What Must Be Done,” *Newsweek*, Nov. 20, 1967, 33, “Newsweek,” Box 6, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

confusion...but the inescapable truth is that so far America hasn't wanted to."¹²³ Few would admit that "blackness is synonymous with inferiority" in the minds of many Americans, and that this mindset stifled efforts at economic emancipation.¹²⁴

While "enlightened opinion" showed that riots protested the "conditions of Negro life," surveys of white America indicated "most whites are able neither to absorb nor to accept even that judgment."¹²⁵ Rather, those surveyed fell back on familiar culprits: outside agitators and subversive elements associated with communism. "What Must Be Done" acknowledged the presence of black militants and communism in some riots, but challenged the contention that this could explain riots in 100 American cities over the course of four summers; if white people had rioted at that rate, the report claimed, Americans would have taken swifter action.¹²⁶ That the nation was in its eighty-first consecutive month of economic growth only made the urban poor more frustrated and those in the suburbs more skeptical that a lack of resources and opportunities were to blame. The authors of the report quoted one Johnson presidential adviser as saying, "we can't tell them to hire those who have been burning down the ghettos...America is fed up."¹²⁷ Compounding the problem was the Vietnam War and its financial ramifications, which made Congress less likely to embrace increased domestic legislation. A few politicians were quoted faulting Johnson for the stalemate. Commissioner Edward Brooke blamed the president, whom he said had "failed miserably" in trying to "educate

¹²³ "The Negro in America," *Newsweek*, Nov. 20, 1967, 34, "Newsweek," Box 6, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹²⁴ *Ibid.*, 35.

¹²⁵ *Ibid.*

¹²⁶ *Ibid.*, 36.

¹²⁷ "The Negro in America," *Newsweek*, Nov. 20, 1967, 37, "Newsweek," Box 6, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

the people to what it's all about."¹²⁸ Michigan Congressman John Conyers said he would "scream and kick and yell and shatter my lance in Congress" if he were Johnson, adding that he also would have toured ghettos to demonstrate a commitment to making necessary improvements.¹²⁹

The *Newsweek* report also addressed the rise of black consciousness—what it termed "thinking black." This entailed "breaking old ties of dependency on whites" and developing "political and economic sinew of their own," and it also involved a "growing cynicism about anything, however earnest or well-intentioned, that the white man tries to do."¹³⁰ The notion of "thinking black" spoke to many frustrated, alienated ghetto residents; many had traveled North as part of the Great Migration, where "the rainbow ends in a ghetto hopelessly mired in a culture of poverty and the pervasive climate of failure."¹³¹ Militancy had spread "across the black ninth of the nation...from a deep doubt that America [was] even willing to try" to address issues of jobs, housing, and education.¹³² If white Americans could see past much of the inflammatory rhetoric, they would see that many in the ghetto simply wanted the "piece of America's plenty" so ingrained in the country's ethos.¹³³ Black consciousness grew from centuries of exclusion, and the sooner that the general public could acknowledge this and offer the urban poor a "say in their own destiny," the sooner riots on such a vast scale would cease.¹³⁴

¹²⁸ *Ibid.*

¹²⁹ *Ibid.*, 38.

¹³⁰ *Ibid.*

¹³¹ *Ibid.*, 39.

¹³² *Ibid.*

¹³³ "The Negro in America," *Newsweek*, Nov. 20, 1967, 39, "Newsweek," Box 6, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹³⁴ *Ibid.*

Newsweek framed its program in three sections: immediate action, principles to aid the entire effort, and a specific, long-term agenda addressing jobs, housing, and “other levers of social change.”¹³⁵ It described the program as based on “a fundamental premise: that America must reorder its priorities to give the plight of the disadvantaged at home the same urgency it affords the foreign obligations it has assumed.”¹³⁶ Twelve points guided the program: presidential leadership, top-level direction, inflation control, state and local effort, private sector, employment, welfare, housing, education, riot, control, enforcement powers and ghetto businesses.¹³⁷ Johnson needed to work for a solution with the same “vigor” he displayed regarding Vietnam; private enterprise needed to make “special effort to seek out, promote, and hire the hard-core unemployed”; the employment point sought to improve job-training programs, while the welfare point called for reforming “needlessly abusive and repressive (and sometimes racist) features of the current system.”¹³⁸ Enforcement powers meant “vigorously enforcing existing civil rights laws”; the plan also called for increased citizen participation in curbing riots and solving problems of the ghetto.¹³⁹ Lastly, the magazine listed cost estimates for all proposals for the current fiscal year as well as the forthcoming one. Costs for the short-range package were \$6.9 billion (at a time when the total federal budget was \$880 billion and attempting to cut costs for the following year), with an additional \$510 million over the remainder of the fiscal year.¹⁴⁰ *Newsweek* neglected to name a long-term cost, but a *Washington Post* article noted that Martin Luther King Jr. had advocated publicly for \$20

¹³⁵ *Ibid.*

¹³⁶ *Ibid.*

¹³⁷ *Ibid.*, 40.

¹³⁸ *Ibid.*

¹³⁹ “The Negro in America,” *Newsweek*, Nov. 20, 1967, 40, “Newsweek,” Box 6, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴⁰ “Newsweek Advocates Program to Aid Negro,” *The Washington Post*, Nov. 13, 1967, “Office of Congressional Relations-Clippings,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

billion a year, while other estimates topped out at \$180-200 billion over the following decade.¹⁴¹ The report as a whole described the “peculiarly inadequate and worrisome response” to the riots, but it broke from typical expressions of concern by suggesting concrete proposals with a price tag.¹⁴² Ginsburg’s complimentary note to Elliott on the project reflected the commission’s appreciation of the effort and awareness of its suggestions. Even if commissioners did not intend to replicate all of the special report’s suggestions, a separate effort with the same broad goal could prove a worthwhile source.

A survey paper detailing short-term domestic program options for the commission echoed much of what *Newsweek* said in its report. The revised paper, prepared for commissioners in advance of a November 21 meeting, branded riots as a product of “three hundred years of common history” and described a “massive tangle of factors—social, economic, political, and psychological” that informed ghetto attitudes and how riots occurred.¹⁴³ At the center of the examination lay racism and its corrosive effects, effects only accentuated by white flight and the alienation of the Great Migration as a result of deteriorating ghettos. Ghettos meant “men without jobs and families without men, schools where children are processed rather than educated, until they return to the street—to crime, to narcotics, to dependency on public welfare” and, ultimately, to “the hatred of white society.”¹⁴⁴ This generated a “deep sense of deprivation and victimization” against African Americans by “white society.”¹⁴⁵ The paper pointed out, however, that jaded attitudes alone did not explain the spike in rioting in recent years; it

¹⁴¹ *Ibid.*

¹⁴² *Ibid.*

¹⁴³ “Survey Paper on Short-Term Domestic Program Options, Revised Version/Outline of Interim Report,” Nov. 21, 1967, “November 20-November 28,” Box 2, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴⁴ “Survey Paper on Short-Term Domestic Program Options,” Nov. 21, 1967, “November 20-November 28,” Box 2, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴⁵ *Ibid.*

attributed “powerful new ingredients” of black protest that had “catalyzed” frustrations as a significant factor.¹⁴⁶

Among these “ingredients” was the “gap between promise and fulfillment” of the civil rights movement and a feeling of “political impotence” on the part of poor African Americans—the idea that their political and economic exploitation continued despite civil rights gains.¹⁴⁷ Racial consciousness had supplanted a willingness to abide by the “system,” resulting in a “general erosion of respect for authority in American society.”¹⁴⁸ This erosion led directly to the relationship between law enforcement and rioting; as the staff paper worded it, “the police stand precisely at the pivotal point between society’s demand for order and public safety and the chaos of ghetto life.”¹⁴⁹ Those in uniform symbolized mechanisms of power and repression that the ghetto resented, making conflicts involving police brutality sharper and the risk of riots higher.¹⁵⁰ The paper conceded that “inflammatory rhetoric” surrounding much of the black frustration did not help matters, but it was less interested in criticism over the decline of law and order than it was in assessing how that decline had unfolded.¹⁵¹ Conveying the roots of ghetto frustration to commissioners—who in turn would have to convey it to the nation—without condoning disrespect for law and order, posed a challenge. Whether due to witness testimony, riot profiles in each city, or expansive articles like the one published

¹⁴⁶ *Ibid.*

¹⁴⁷ *Ibid.*

¹⁴⁸ *Ibid.*

¹⁴⁹ *Ibid.*

¹⁵⁰ In a separate memo from a team of commission researchers, an unidentified staffer noted that in many ghetto neighborhoods, police “have a bad image of being (1) unwilling or ineffective in the provision of protective services and (2) rough on Negroes,” which, the author, reasoned, undoubtedly put police in a “disadvantageous position” when riots erupted. The author concluded with a question: “are we going to be silent on this?” Research Staff to Stephen Kurzman, “Paper on Public Safety by Arnold Sagalyn,” Nov. 22, 1967, “Critical Comments on Drafts,” Box 3, Series 45, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵¹ “Survey Paper on Short-Term Domestic Program Options,” Nov. 21, 1967, “November 20-November 28,” Box 2, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

by *Newsweek*, tracing and grappling with the causes of rioting had clearly resonated with much of the Kerner Commission staff.¹⁵²

Commission activity slowed over the Thanksgiving break before resuming in earnest on November 27. With many city governments looking ahead to 1968—the *Louisville Courier-Journal*, for example, ran a piece on how Louisville, which had avoided riots the previous summer, could perhaps find “lessons...to ease white-Negro tensions”—there were also efforts to depict ghetto ills in a less sympathetic light relative to other disadvantaged groups.¹⁵³ An article in *U.S. News & World Report* argued that many white Americans living in rural poverty were ignored despite a Department of Agriculture study that found most of those classified as poor by the OEO were white. Poverty was sometimes classified as a “nonwhite problem” to the detriment of poor whites, due to an overemphasis on riots and the ghettos where those riots took place.¹⁵⁴ In a separate piece, Irving Kristol asserted that many African Americans had risen above the poverty line and had a higher quality of life than past immigrants of all races.¹⁵⁵ Kristol made a clumsy attempt at comparing centuries-long racism against African Americans to the plight of the Irish and noted slum populations were both decreasing and better off than the poor in rural areas. A subsequent Kerner staff paper rebutted this

¹⁵² Kyran McGrath’s memo to Tex Thornton on November 22 indicated that tension between staffers and commissioners remained high. In reference to the newly formed private enterprise commission—a smaller body headed by Thornton tasked with determining how private business could help curb riots and improve ghettos—McGrath wrote that he was confident it would be “a commissioners’ report as opposed to the other kind,” a reference to the Kerner Commission and the control the staffers possessed in terms of the editorial direction to that point. Kyran McGrath to Tex Thornton, Nov. 22, 1967, “Kyran McGrath,” Box 3, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵³ Rod Wenz, “Lessons for Louisville/Restless Cities: Can Action Now Cool Off Summer of ’68?” The *Louisville Courier-Journal*, E1, Nov. 26, 1967, “Assistance Programs,” Box 1, Series 24, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵⁴ “Forgotten Men: The Poor Whites,” *U.S. News & World Report*, Nov. 27, 1967, 76, “Assistance Programs,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵⁵ Irving Kristol, “Today’s Negroes: Better Off Than Yesterday’s Immigrants?” *U.S. News & World Report*, 77, Nov. 27, 1967, “Population,” Box 3, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

contention indirectly by examining how the experiences of black immigrants differed from those of other immigrants. While most immigrants “faced severe handicaps from prejudice and discrimination in finding jobs, housing, and social status,” according to the piece, they were ultimately “able to move out of their ghetto more easily than the Negro” due to the fact that “the white immigrant in America is not instantly identifiable as such by skin color nor locked into so rigid a stereotype of servitude, poverty, and all the rest.”¹⁵⁶

Letters to the Kerner Commission reflected the outcry over the perceived double standard when it came to poverty. One letter from Indiana lamented the focus on King, Carmichael, and Brown rather than “respectable people...all of us have rights, not only those who holler the loudest?”¹⁵⁷ It was, according to the letter, up to African Americans to help themselves, and poor whites had little incentive to assist when no one seemed to care about them. Another called for charging civil rights organizations with treason and giving the death penalty to riot instigators.¹⁵⁸ Even letters from private citizens like Gerald Curry, who said he was “all for equality,” feared that if “this keeps up, we won’t have a country in which to be equal.” Rioters, he wrote in a letter to the president, “know they won’t be hurt because in most instances the police have been told to take it easy because they might antagonize the colored community.”¹⁵⁹ While harsh, race-based critiques of riots and inner cities had flooded the inbox of the commission since its inception, sympathetic portraits of ghetto residents seemed to spur more class-based

¹⁵⁶ Mel Burgheim to Stephen Kurzman, “Violence in the Cities: An Historical View,” Nov. 30, 1967, “Critical Comments on Drafts,” Box 3, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵⁷ Mary Marble to Otto Kerner, Nov. 28, 1967, “M,” Box 14, Series 28, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵⁸ Eugene Allison to Kerner Commission, Nov. 28, 1967, “A,” Box 1, Series 28, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵⁹ Gerald Curry to Lyndon Johnson, Nov. 29, 1967, “C,” Box 3, Series 28, NACCD, RG 282, LBJ Library, Austin, TX.

criticism through the fall. Racism, both subtle and overt, still existed in many letters, but now came an added question from many conservative citizens: if America needed to eradicate the culture of poverty, why was the focus so squarely on poor African Americans? It was, perhaps, a question the commission needed to ponder as it readied its interim report.

With the prospective interim deadline looming, anxiety at commission headquarters had not subsided. Lindsay wrote to Kerner saying he was “somewhat troubled by the difficulties of scheduling” that led to commissioners having little time to read, consider, or discuss research papers handed over by the staff or outside consultants.¹⁶⁰ The vice chairman requested a series of additional commission meetings for the purposes of reading drafts and having more time to review and grapple with how they might impact the broader report. Howard Margolis, a staffer who had written extensively on probable courses for the commission to take the previous month, announced his resignation, writing to Palmieri that he was walking away because his “judgment on management questions was so far at odds with what was being done that I was afraid I would end up being a pain in the neck rather than a help.”¹⁶¹ Margolis said that if there was “anything significant I thought I had to contribute, I would certainly stay...but it is obvious I have not been helpful.”¹⁶² Unlike Charles King, who had resigned earlier that month, Margolis walked away with no regrets. While the Kerner

¹⁶⁰ John Lindsay to Otto Kerner, Nov. 27, 1967, “Honorable John Lindsay, Vice Chairman,” Box 2, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁶¹ Howard Margolis to Victor Palmieri, Nov. 28, 1967, “Miscellaneous-Margolis,” Box 1, Series 60, LBJ Library, Austin, TX.

¹⁶² *Ibid.*; Incidentally, Margolis’s resignation letter came just a day after the recipient, Victor Palmieri, wrote to John Koskinen urging him to keep the writers writing—especially Margolis. Whether this was a reference to how much the commission valued his contributions or that he had been slacking in his professional duties is not clear. Victor Palmieri to John Koskinen, Nov. 27, 1967, “Central Files #2,” Box 1, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

Commission was a large enough operation that two staff departures within a month had no significant effect, it did signal that a few who had signed on that summer had become disillusioned with what the commission could—or, perhaps, wanted—to accomplish with its platform.

As the month drew to a close, sample questions from an attitude survey for African Americans survey surfaced. The questionnaire, focused mostly on education and welfare, asked participants, among other things, whether they preferred integrated schools or improved schools of their own, their personal experiences with an opinions on income supplements and public housing, and whether they felt blacks had an equal chance to attain elected office.¹⁶³ It offered a rare glimpse into the line of questioning used for one of the staff's surveys, a line of questioning that would help inform much of the forthcoming writing that might find its way into the report. In the commission's inner circle, there remained the matter of selecting a title for the interim report. Options, according to a November 30 memo from Koskinen to Ginsburg, included: "To Establish Justice and Insure Domestic Tranquility"; "America at the Crossroads"; "One Nation or Two?" and, if none of these appealed, simply the "Interim Report of the National Advisory Commission on Civil Disorders."¹⁶⁴

The end of the month also saw commissioners writing to Ginsburg and Kerner privately on ideas related to the report. Peden reiterated to Kerner that the nation needed to turn back to religion, saying that "the greatest change needed in this country is to change the attitude of the white man toward the black...this is basically a moral

¹⁶³ John Koskinen to Victor Palmieri and Michael Waldman, "Attitude Surveys-Supplemental Memorandum," Nov. 30, 1967, "John Koskinen," Box 3, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁶⁴ John Koskinen to David Ginsburg and Victor Palmieri, "Titles of Interim Reports," Nov. 30, 1967, "Central Files #2," Box 1, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

problem...we must look to the institution which has as its basis for existence the morality of this nation, the church.”¹⁶⁵ Failing to deliver this message, she told the chairman, would be a lost opportunity. Herbert Jenkins, who had reiterated his request that the commission’s interim and final reports be “easily understood by everyone involved,” also called for improved training and increased hiring of African American officers.¹⁶⁶ The Atlanta police chief told Ginsburg that “action taken by Negro police in a Negro community causes less irritation and resistance as the same action, under similar circumstances, taken by white policemen, and this cannot be changed by next summer.”¹⁶⁷ Rather, it would require “several generations” of training to help change the perception and culture of law enforcement.¹⁶⁸ In spite of the behind-the-scenes tension and impending deadlines, many involved with the Kerner Commission remained optimistic that their hard work would generate useful results, both in the interim and long-term reports, that could assist in halting riots and racial animosity.

Four months in, however, there still existed skeptics who believed the commission was just for show, and that “to entertain the idea” that it could “change the national climate require[d] an energetic suspension of disbelief.”¹⁶⁹ Writing in *Atlanta Magazine*, Elizabeth Brenner Drew scathingly referred to the commission as having been formed “for lack of anything else to do.”¹⁷⁰ Otto Kerner was a “weak, amiable Democrat” in her words, and the commission’s two black members “no closer” to the daily injustices

¹⁶⁵ Katherine Peden to Otto Kerner, Nov. 28, 1967, “Official Correspondence,” Box 1392, Kerner Papers, Lincoln Library, Springfield, IL.

¹⁶⁶ Herbert Jenkins to David Ginsburg, Nov. 30, 1967, “Honorable Herbert Jenkins,” Box 1, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁶⁷ *Ibid.*

¹⁶⁸ *Ibid.*

¹⁶⁹ Elizabeth Brenner Drew, “A Fink Operation,” *Atlanta Magazine*, November 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

¹⁷⁰ *Ibid.*

of ghetto life.¹⁷¹ She reported rumors that the commission was “a fink operation, working hand-in-glove with the police and the FBI,” and thus were “not to be cooperated with.”¹⁷²

With a timeline that would have its final report released after the year’s legislative program and in the middle of the chaos of the presidential election, Drew asserted that there was little reason to think anything would change. “No one is betting...that the commission’s product will differ radically from one that the president wants,” she said.¹⁷³

The author was not alone in her doubting, but she had miscalculated in her exact assessment of the commission; while it had worked with the police and FBI, it did not do so in a capacity that would absolve authority of blame. Furthermore, as the coming months would show, the Kerner Commission had no intention of telling President Johnson what he wanted to hear in its report.

¹⁷¹ *Ibid.*

¹⁷² *Ibid.*

¹⁷³ *Ibid.*

December 1967

“It is my firm conviction that for the Commission to take any position...other than one of such ‘massive magnitude’ will be to admit that it is just another Commission seeking compromise,” wrote Commissioner I.W. Abel’s assistant, James Jones, to Executive Director David Ginsburg.¹ Jones, who assured Ginsburg that he spoke for Abel in writing, called for a bold, clear-eyed interim report in his December 6 letter; the commission needed to convince white America that the problems of the ghetto were problems worth fixing while also convincing ghetto residents themselves that the commitment to do so was not an empty promise.

Jones wrote the letter on the same day that the Kerner Commission had released September testimony to the public focused on how many poor African Americans had lost faith in a system of government they believed was tailored to benefit middle-class whites. Roger Wilkins, Director of the Justice Department’s Community Relations Service, had lamented in testimony three months prior that discrimination no longer took the form of a “southern sheriff or bully,” that it had become increasingly difficult to “personalize prejudice.”² The problem was a broader one, evident in the rotting of infrastructure and preference for construction of buildings like the John F. Kennedy Center for the Arts to, as Wilkins put it, “communicate something to the Russians and Englishmen and Frenchmen,” rather than focusing on improving or rebuilding schools and neighborhoods.”³ As Jones called on commissioners to “deal with...the question of

¹ James H. Jones to David Ginsburg, December 6, 1967, “Commission Report,” Box 4, Series 47, Records of the National Advisory Commission on Civil Disorders, Record Group 282, Lyndon B. Johnson Presidential Library, Austin, Texas.

² Jean M. White, “System Called Riot Cause,” *The Washington Post*, Dec. 6, 1967, “Office of Congressional Relations-Clippings,” Box Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

³ *Ibid.*

police brutality” rather than “gloss over or even question” that it existed, the Kerner Commission also released the testimony of Albert Reiss, who had testified that police departments across the country “describe Negroes in terms that are not people terms...they describe them in terms of the animal kingdom.”⁴ He told commissioners that at least three-fourths of police officers had discriminatory views toward African Americans. Improving technology and officer training would only do so much if departments nationwide did not address racism; it was a crucial element in improving police-community relations.

In spite of the damning testimony released and the daunting tasks that lay ahead, Jones remained steadfast in his belief that the commission could answer President Johnson’s fundamental questions on the riots and offer effective solutions. Even with, as he said, “the attitude of Congress and the white community, and the Vietnam War,” Jones was “still convinced that the American people will react affirmatively if given the facts and recommendations honestly and boldly.”⁵ The commission needed to “challenge the Federal Government to launch massive programs” and “have faith in the people if it is to gain the faith of them.”⁶ A clear timetable needed to accompany the sincere effort as well, so “visible signs of change [could] be seen and understood.”⁷ Jones complimented the staff on their work since the summer but noted a “veiled hesitancy” to “‘go all out’ for fear of offending commissioners.”⁸ His was the latest call for an uncompromising

⁴ “Study Shows Police Aren’t Cause of Riot,” *Chicago Tribune*, Dec. 6, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

⁵ Jones to Ginsburg, December 6, 1967, “Commission Report,” Box 4, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

⁶ *Ibid.*

⁷ *Ibid.*

⁸ *Ibid.*

report centered on the research staff's findings that would not worry about the backlash or whether most Americans—or commissioners, for that matter—agreed.

Ginsburg did not reply to the letter, but four months on the job had shown that such ambition came with high risk given the American political landscape. Syndicated columnist Carl Rowan, a former head of the United States Information Agency who had worked in both the Kennedy and Johnson Administrations, wrote that the commission had to tell “stark truths without being inflammatory.”⁹ It needed to, as Jones had written, “alert America’s white middle class to the true causes of urban unrest,” but doing so without “appearing to apologize for arsonists, looters, and murderers”—whether or not those were fair characterizations—was a feat that required more than political platitudes of being bold and courageous.¹⁰ Explaining that not all Americans viewed law enforcement positively was both a “vital” and “delicate” task; as one staffer put it: “what white America is unaware of is the entire range of police misconduct which is a daily factor in the life of the ghetto resident: actual brutality, rough treatment, unjustified stopping on the street...if we sugarcoat these complaints, we have failed in our task of alerting the country to the true state of facts.”¹¹ But how could the commission express this without undermining police and a society reliant on law and order? How could it avoid speaking of ghetto residents categorically and, as one staff member feared, doing a “grave disservice...by casually linking ‘ghetto leaders’ with ‘riot leaders’”?¹² How could

⁹ Carl T. Rowan, “Race Panel Sits on a Powder Keg,” *Chicago Sun-Times*, Dec. 6, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

¹⁰ *Ibid.*

¹¹ *Ibid.*; Charles Nelson to Victor Palmieri, et. al, “Comments on Summary Analysis, ‘The Harvest of American Racism,’” attached comments on Robert Shellow paper, Dec. 5, 1967, “Critical Comments on Drafts,” Box 3, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹² Steve Weiner to Victor Palmieri, “Public Safety and Police-Community Relations,” Dec. 5, 1967, “Critical Comments on Drafts,” Box 3, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

it pivot, then, to offering constructive solutions on mending police-community relations and the conditions that yielded riots in the first place?

These questions, among other topics, came up as commissioners met again in Washington from December 7 to December 9. Ginsburg read staffer Robert Conot's "Narrative History of the Events of 1967" aloud, and commissioners offered feedback after each section. Conot, a journalist and historian who had captivated the commission with *Rivers of Blood, Years of Darkness*, his account of the Watts riots, authored sections that consisted of riot accounts in various cities, as well as comments on the broader civil rights movement and leading figures such as Carmichael and Brown. On the whole, Conot's work garnered praise. Commissioners provided minor critiques—Roy Wilkins felt the summary incorrectly implied the "Birmingham boycott by itself stemmed violence" and that the civil rights movement earlier in the decade "wasn't just the lunch counter frustrations, it was the whole resistance line to desegregation," for example.¹³ In a few cases, there was sharp disagreement. After Ginsburg finished reading the section on Cincinnati, Ohioan William McCulloch objected to "overdramatized facts" on the lack of African Americans in that city elected to public office, insisting that Cincinnati "has a good record of excellent Negroes serving in public office."¹⁴ Oklahoma Senator Fred Harris disagreed, citing field research that indicated the "lack of Negroes in public office was very much on Negroes' minds...but the whites were very proud of their city."¹⁵ According to interviews in Cincinnati, "the whites weren't in good relations with the Negro community," and Harris wanted the section to "stress the lack of

¹³ Minutes of Kerner Commission Meeting, Dec. 7, 1967, "Minutes of Meetings of ACCD Staff," Box 1392, Series I, Otto Kerner Papers, 1947-1968, Abraham Lincoln Presidential Library, Springfield, Illinois.

¹⁴ *Ibid.*

¹⁵ *Ibid.*

communication.”¹⁶ He added that on a trip to Cincinnati, an African American had noted the discrimination in the fire department; “do you think I’m going to go through training and jump off a building with a bunch of white men holding that net for me?” he asked Harris.¹⁷ The exchange summarized the racial divide that characterized many American cities when it came to evaluating race relations; while many suburban whites believed racial tension was nonexistent or exaggerated prior to rioting, the Kerner Commission’s decision to take “field trips” to various cities revealed that many African Americans disagreed. McCulloch’s misunderstanding of Cincinnati race relations spoke to a basic challenge for the Kerner Commission: convincing millions of white Americans that their views of local race relations were likely quite different from the views of their African American peers.

As in previous meetings, commissioners also fixated on black militants and how to classify them in the report. Wilkins bristled at the notion that “militants are made to be saviors of the black race” and said he did not want “this to be a militant report, nor an NAACP report, either.”¹⁸ He also rejected the idea that only militants carried favor in poor, black neighborhoods; Harris reassured his colleague that “it’s the middle-class Negroes who have spearheaded the movement.”¹⁹ Thornton worried about a narrative of the year’s events “glorifying irresponsible Negroes and letting responsible leaders fall by the wayside.”²⁰ When discussing Carmichael and Brown, Wilkins hesitated to give them both a “further platform,” while Ginsburg argued that mentioning their names only in

¹⁶ Minutes of Kerner Commission Meeting, Dec. 7, 1967, “Minutes of Meetings of ACCD Staff,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ *Ibid.*

passing when summarizing rioting would show their “ineffectiveness” as radicals.²¹ On a lighter note, Jenkins questioned the way Carmichael dressed, referring specifically to his Bermuda shorts. “Anyone who comes out to be a leader wouldn’t dress like that,” he remarked, prompting Wilkins to point out that Carmichael was “a leader of people who wear these clothes.”²²

Wilkins also disputed the description in Conot’s section on the class divide in the African American community; while he agreed that some middle-class African Americans had little interest in aiding their poorer brethren, speaking on this categorically was both incorrect and lazy. Minutes of commission meetings indicate that when civil rights and racial history were discussed, most people at the table deferred to Wilkins. While it offered ample opportunities for the NAACP’s Executive Director to provide his opinions, it also reflected the diversity problem of the Kerner Commission. Wilkins had to walk a fine line in commission meetings, criticizing black militants while also explaining their worldview and plight to his white colleagues. He did not agree with militants philosophically, but he often had to refute commissioners—particularly Thornton—when criticism of young black activists bled over into what Wilkins himself believed. The predicament was the consequence of forming a commission to study riots in black neighborhoods and including only two black voices at the highest level.

Conot’s pacing and description were met with approval, but commissioners also expressed concern at how the section had failed to place any blame on the rioters themselves. Thornton complained, predictably, that the description of Detroit failed to

²¹ Minutes of Kerner Commission Meeting, Dec. 7, 1967, “Minutes of Meetings of ACCD Staff,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

²² *Ibid.*

“read like a description of the largest riot to date.”²³ He and McCulloch both objected to a portrait of Rap Brown that seemed to “deify” him and depict him as a pacifist; Peden wanted a mention of the large amounts of federal money “poured into the city to no avail,” while Wilkins complained that Conot’s account of Detroit lacked the “sense of drama, of impending disaster” of the profiles on Newark and other cities.²⁴ Conot, who was present, defended his description and cited “overwhelming documentation in both Newark and Detroit that unfortunate law enforcement prolonged the riot,” but this did not seem to appease his critics that day.²⁵ “Obviously there was a disturbance and it doesn’t show this here,” Jay Kriegel, John Lindsay’s Chief of Staff, said to Conot.²⁶ Harris agreed that the Detroit section indicated that “all the wrong is on the side of the law enforcement, that the riots are justified...there’s no feeling that what the rioters did is reprehensible.”²⁷ Jenkins seconded Harris, stating that as much as Detroit police had clearly erred, “they’re still not as bad as this indicates,” while Peden, the lone female commissioner who had admitted to altering her stance on rioters after touring affected areas and speaking to citizens, requested more detail about the crime and looting that unfolded in Detroit.²⁸ Even Otto Kerner, the face of the commission, chimed in that the section needed to include “responsible acts by people, police, and citizens.”²⁹

²³ Minutes of Kerner Commission Meeting, Dec. 7, 1967, “Minutes of Meetings of ACCD Staff,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ *Ibid.*

²⁷ *Ibid.*

²⁸ *Ibid.*; Speaking to the Kentucky Civil Liberties Union in Louisville, Peden told her audience that witness testimony and a number of trips had made her realize that the urban problem was “deep and complex” and that she had softened her “get tough” policy as a result. The nation, she said, needed to “protect the rights of the majority who did not participate in violence but at the same time be mindful of the rights of those who did take part.” “Investigations Soften Peden Stand on Riots,” *The Louisville Courier-Journal*, Dec. 3, 1967, “1-Commission Members,” Box 1, Series 31, NACCD, RG 282, LBJ Library, Austin, TX.. An editorial in the *Louisville Times* praised Peden for her change in tune due to a “deeper understanding of a problem that is infinitely complex in which simple solutions are totally inadequate. Too many variables are

Conot did not reply, and of course minutes do not indicate reactions or facial expressions to comments; it is reasonable to assume, however, that at a table with powerful commissioners, many of whom had already criticized the working relationship they had with research staff, he was reluctant to push back against a concerted effort to sanitize what happened in Detroit. Conversely, however, Harris also wanted more detail on the allegations of police brutality at the Algiers Motel and police station. Harris did not wish to erase accounts of police brutality entirely, but he did feel they were overstated at the truth's expense. There were also political aspects mentioned, specifically the rift between Governor Romney and President Johnson. "We can't ignore the disagreement between LBJ and Romney here," Harris told his colleagues, adding that doing so would be seen as "covering up for LBJ."³⁰ The report needed five or six sentences on the dispute. Following a friendly reminder not to speak to the press about anything discussed at closed-door meetings, the commissioners adjourned.

When commissioners resumed the following morning to review a drafted section on public safety, questioning of the document's supposed anti-police stance continued. "Very disappointed in this section," James Corman told his colleagues, adding that it "condemns all police and gives little to no constructive advice to upgrade, which has to be the reason for issuing an interim report."³¹ Thornton, never shy about chiming in, said that the draft "gives the feeling that if there'd been no police...there'd have been no

present, too many different kinds of people are involved to permit broad generalizations." The piece also referenced Peden's shock at learning that 31 million Americans lived on 26 cents per day. Editorial, *The Louisville Times*, "A Revolt Against 26 Cents," Dec. 7, 1967, "Reaction: Pre-Report," Box 5, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²⁹ Minutes of Kerner Commission Meeting, Dec. 7, 1967, "Minutes of Meetings of ACCD Staff," Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

³⁰ *Ibid.*

³¹ Minutes of Kerner Commission Meeting, Dec. 8, 1967, "Minutes of Meetings of ACCD Staff," Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

riots.”³² The rioting, he said, began when the police were not there, and was not representative of all those in riot areas who preferred police protection. “Five hundred people starting the burning do not represent half a million down in the ghetto,” Thornton added.³³ Police were scared, and “you couldn’t pay me to go down [there],” he said.³⁴ Edward Brooke, who had said little on the previous day, disagreed; “it’s overwhelming that most incidents are caused by police action,” he said.³⁵ The Massachusetts Senator was not arguing against law and order, but it was, according to him, “a big mistake to make police sacrosanct...we should relate police improprieties.”³⁶ Again, Harris and Thornton pushed back. “Maybe it’s true you can’t have a riot without police, but society needs law and order,” Harris said.³⁷ The report “ought to say society has got to support our police, and they haven’t in the past,” and gave “lots of criticism with very little assistance.”³⁸ Thornton was a bit franker, stating that “not every black kid wants to kill cops, and not all cops want to kill black kids...we need a balance.”³⁹ Brooke interjected with a question: “But what if the facts don’t show that balance?”⁴⁰ In the minutes of the discussion, the question went unanswered before Wilkins backed Brooke, telling commissioners, “let’s not forget that every riot was started with a police incident” and that African Americans were subject to increased scrutiny that resulted in “police handcuffing women, handcuffing MLK for four-day expiration of his driver’s license.”⁴¹

³² Minutes of Kerner Commission Meeting, Dec. 8, 1967, “Minutes of Meetings of ACCD Staff,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

³³ *Ibid.*

³⁴ *Ibid.*

³⁵ *Ibid.*

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ *Ibid.*

³⁹ *Ibid.*

⁴⁰ *Ibid.*

⁴¹ *Ibid.*

Corman, meanwhile, decried the lack of constructive criticism in the piece. “Sure, there are terrible mistakes by police, but I see here nothing about what police should do,” adding that the commission “[hasn’t] done our job to say the past was bad, and leave it at that.”⁴² There had to be more explicit mention of what the police had reacted to, Jenkins said. Even amid all the discussion of avoiding an “anti-cop” tone, James Jones and Peden emphasized that the report “could not deny the facts of police brutality”—Harris, who had spent the better part of two days reminding colleagues that there were two sides to a riot, agreed.⁴³ There was also the matter of police review boards, opposed by the police themselves but favored by many residents in impoverished neighborhoods. “Where does a 19-year-old Negro go to complain that he got beat up by police?” Lindsay asked.⁴⁴ Commissioners discussed the idea of civilian review boards or, as Wilkins put it, “the widespread ghetto feeling that we get nowhere with complaints about police.”⁴⁵ Beyond speaking out against brutality, Wilkins wanted mechanisms in place to hold officers in violation accountable for their conduct.

What the minutes demonstrated here was the difficulty of reconciling police brutality with law and order; the commission did not want to absolve police of blame given the realities of police brutality in the ghetto, but it also did not want criticism so withering that it weakened officers and respect for the law. Walking this fine line was crucial. “People in the ghetto are going to read this section first,” Wilkins told his colleagues.⁴⁶ “It’s the backbone of the report,” Corman added.⁴⁷ Brooke agreed and

⁴² Minutes of Kerner Commission Meeting, Dec. 8, 1967, “Minutes of Meetings of ACCD Staff,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

⁴³ *Ibid.*

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*

feared that “there is a gun being held on the staff to turn out these papers,” which made him “fearful that these don’t reflect the comments of commissioners.”⁴⁸ That metaphorical gun, Wilkins noted, was from the public; not only did commissioners also have to grapple with these issues, they had to make the appropriate revisions quickly for an administration and public clamoring for hard copies of riot solutions. “It’s all very difficult,” Palmieri lamented.⁴⁹ After brief discussions on riot training for law enforcement and gun control legislation, several commissioners voiced concerns over the project’s timetable. McCulloch, Lindsay, and Corman all wondered: if the interim report was thorough enough, was a final report necessary? Would the commission put its best foot forward if writing the report was a “rush act” to placate the public?⁵⁰ How would short-term and long-term programs work with two reports issued? “What the hell is a short-term program...we can’t come out with a box of band-aids,” Lindsay told his colleagues.⁵¹ These questions weighed on commissioners’ minds heading into the week’s final round of talks.

Commissioners dedicated a portion of their December 9 agenda to meeting, off the record, with a number of high-ranking African American publishers. Ginsburg wrote to Merle McCurdy the day before with specific instructions on how to brief the publishers about the commission’s goals and activities. Beyond the basics—the president’s directives, the teams of fact-finders dispatched to conduct interviews and gather background information on each city—Ginsburg’s memo made it clear that he wanted African American publishers to understand just how prominent African Americans had

⁴⁸ Minutes of Kerner Commission Meeting, Dec. 8, 1967, “Minutes of Meetings of ACCD Staff,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

been in the commission's work to date. "Note that information which proved to be of invaluable assistance to the numerous fact-finding teams came from Negro newspapers," Ginsburg wrote to McCurdy.⁵² They also needed to hear about the contributions of black witnesses like Martin Luther King Jr., Kenneth Clark, and Ernie Chambers, as well as how the commission was "taking a hard analytical look at the system which spawned so many inequities which appear to be at the bottom of disorders."⁵³ Ginsburg wanted staff members to praise the publishers for "having fought a continuously valiant battle against the very conditions that engendered the hopelessness and anger now so prevalent across this country...One of the lessons we have learned is that the Negro press should be heard."⁵⁴ Black publishers needed to know the commission would chronicle black history from the origins of slavery to the modern criminal justice system and the Great Migration. Their support of the report, Ginsburg wrote, was "extremely important" for the goal of "interpreting its significance to their readers."⁵⁵ The memo and briefing made it clear that Ginsburg remained mindful of the commission's racial dilemma, of the optics of a body devoted to evaluating riots and conditions in non-white neighborhoods employing relatively few African Americans and having just two of eleven African American commissioners. He sent McCurdy, an African American attorney and staff member, to speak with the publishers. While it did not solve the lack of diversity on the Kerner Commission by any means, it at least demonstrated that high-ranking white employees were well aware of the image they needed to project when speaking to African Americans, particularly African American professionals.

⁵² David Ginsburg to Merle McCurdy, "Briefing of Negro Publishers," Dec. 8, 1967, "Media: Publishers' Luncheon, 12/9/67," Box 3, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁵³ *Ibid.*

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

The final commission meeting for the week commenced with members reviewing “The Roots of Racism and Alienation,” which documented the African American freedom struggle over the previous three centuries. Wilkins, who described what Ginsburg read aloud as, on the whole, “a remarkably well-written painting of the Negro struggle,” had the floor.⁵⁶ He did, however, have points of contention. “Who made all these things possible, desegregating schools?” he asked, adding it “was not the virgin birth.”⁵⁷ He did not want credit, but he did want a more explicit account of *Brown v. Board*, how it spawned hundreds of Citizens Councils, had only resulted in “one percent” of schools desegregated, and even now had Congress “debating withholding federal funds from Southern school districts which still desegregate, even after 4 months of violence.”⁵⁸ When McCulloch cautioned against criticizing Congress, given that it could play a pivotal role for the commission’s recommendations, Lindsay declared that the report “won’t do much good unless it makes some people uncomfortable,” with Wilkins adding that the commission needed to “call the shots as we see them.”⁵⁹

This entailed, among other things, an unfiltered account of how America had treated black people; “Negro history is essential to American history...we accommodated it, tried to hide it, did everything but face it,” Harris said, adding that civil rights progress came only when it was in the nation’s best interest as well.⁶⁰ Americans needed to know more about the treatment African Americans in the South faced during Reconstruction and understand that, as Corman said, “while slavery was 100 years ago, and no one today

⁵⁶ Minutes of Kerner Commission Meeting, Dec. 9, 1967, “Minutes of Meetings of ACCD Staff,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*

⁶⁰ *Ibid.*

owns any slaves, the causes of the problems are directly related.”⁶¹ Corman did object, however, to framing black history as a continuous cycle of “raising hopes and shattering them,” because it would prompt many white Americans to reply cynically that riots would cease if the country stopped “doing things to raise their hopes.”⁶² Brooke wanted a harsher view of recent history, including a mention that Washington, D.C. was segregated during the New Deal. “Let’s not be partisan, especially when it isn’t factual,” he said.⁶³ The section also needed more detail on the “very dramatic acts of violence in the last 10 years,” according to Brooke.⁶⁴ Americans needed to understand the roots of racism, but they also needed to understand that the causes of rioting in 1967 were not dead and gone, that riots occurred “because of things that happened in the lifetime of people who riot.”⁶⁵ Congress deserved credit for the passage of the Civil Rights Act and Voting Rights Act, respectively, but the problems with enforcing each needed emphasizing. There was little pushback in the room to articulating this view of American history, beyond Thornton protesting that some of the more graphic mentions of violence against black children were extreme and unnecessary.

One question lingered, however, as three days of meetings came to an end: where do we go from here? “When we read this thing in totality, it’s very hard and abrasive,” Ginsburg noted. He had concerns, however, about the suggestions, saying that short-term recommendations were “not very impressive.”⁶⁶ He spoke on behalf of many staffers in labeling the mood as “uncomfortable” over the lack of recommendations; there was

⁶¹ Minutes of Kerner Commission Meeting, Dec. 9, 1967, “Minutes of Meetings of ACCD Staff,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

⁶² *Ibid.*

⁶³ *Ibid.*

⁶⁴ *Ibid.*

⁶⁵ *Ibid.*

⁶⁶ *Ibid.*

plenty of detail and background on what was wrong, but how did the Kerner Commission plan to fix it?⁶⁷ “We have to go big and quick and to do anything less than big will be bad. We’ll never get the attention again,” Harris said.⁶⁸ “Like Roy said yesterday, if we don’t get this report out soon, we might as well forget it,” Brooke added.⁶⁹ At this point, commissioners began to speak openly about whether an interim report made sense.

Brooke had never been in favor of two reports; Corman favored switching to one report, as did Wilkins, who said if the commission did “one report with enough in it, we’ll avoid criticism of too little too late.”⁷⁰ Lindsay reminded his colleagues that one report would require a delay and leave the commission “vulnerable” in terms of the public’s trust that it could offer solutions. The recommendations, he said, had to be “in proportion to the problem...if sickness is as large as we see our recommendations for commitment must be as big....putting dollars in is alright with [me].”⁷¹ Lindsay conceded that it might “put the staff in the hospital by January,” but stressed that setting the lofty goals would yield a stronger final product for the country.⁷² At the conclusion of the meeting, commissioners indicated they were willing to take that risk, voting unanimously to expand the report without agreeing to a specific date. That afternoon, Califano informed President Johnson that Ginsburg had called to tell him that the commission would consolidate their work; unlike commissioners, who had not given a date, Califano said the single report would come “late in December or early January” because the commissioners “felt that the

⁶⁷ Minutes of Kerner Commission Meeting, Dec. 9, 1967, “Minutes of Meetings of ACCD Staff,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

⁶⁸ *Ibid.*

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*

⁷¹ *Ibid.*

⁷² *Ibid.*

urgency of the situation requires that they report to you as promptly as possible.”⁷³

Johnson affirmed the decision; “That’s good and tell him I appreciate that,” the president replied.⁷⁴

The decision to consolidate the report constituted a major shift in the commission’s timeline. While it would require a tireless, around-the-clock effort from commission staffers, it would also avoid the delay of dragging a second draft into the summer. The commission’s unanimous vote, with the White House’s support, reflected pressure on the commission to simplify the final product in the interest of time. Kerner and Lindsay issued a joint statement on the following day, December 10, to inform the public of the decision. The press release read:

The commission, some time ago, advanced its deadlines and planned to put out its interim report in January and its final report in May or June. But the commission now feels that all of the elements involved should be combined as a related whole into one document rather than spaced apart in time and content... The commission’s examination of the facts convinces it that to tell only part of the story and to present only a partial program in January, and then to issue a second report five months later would not meet the critical needs of the nation. A fuller account within the near future must be made... Our review of the information we have amassed over four months convinces us that we cannot delay until next summer in providing our findings of fact and recommendations... The commission has found that there is urgent need for public awareness, and widespread action, much sooner than that.⁷⁵

Unlike the previous day’s meeting, which had not offered a target date for the consolidated report, and Califano’s memo, which had indicated some point around the beginning of the calendar year, the press release had a new date in mind for issuing its findings: March 1. At that point, the commission’s investigation would conclude, several

⁷³ Joseph Califano to Lyndon Johnson, Dec. 9, 1967, “10/1/67-12/31/67,” Box 386, FG 690, National Advisory Commission on Civil Disorders, White House Central Files, LBJ Library, Austin, TX.

⁷⁴ *Ibid.*

⁷⁵ Statement from Otto Kerner and John Lindsay, Dec. 10, 1967, “Press Conferences,” Box 3, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

months before the original deadline given for a final report. The decision ensured a busy holiday season for everyone involved with the Kerner Commission.

Among the rumors swirling about possible commission recommendations was the notion that the final report would “force still another reappraisal of the United States’ \$30 billion a year in commitment in Vietnam.”⁷⁶ Journalist Robert Lucas, writing in the Danville (IL) *Commercial News*, said that the arduous, prolonged conflict in Southeast Asia “and its preemption of brain power and attention, is approaching a crisis simultaneously with the domestic crises facing major centers of the U.S. population.”⁷⁷ Beyond the financial strain brought on by deploying more and more American troops to the jungle, Lucas argued that Vietnam had aroused a crisis of conscience, a “clear and present danger to the sense of values and the unity of purpose which, in a rough way, have tied this country together in emergencies.”⁷⁸ It did not behoove anyone, he added, to claim that America “can meet both its foreign commitments and its local obligations if it will only tap its affluent people and get on with the job.”⁷⁹ The nation needed a clear-eyed evaluation of how it appropriated its funds. The article also quoted Roy Wilkins, who spoke in favor of a rededicated effort to spending money to solve inner-city problems. For black Americans living in ghettos, Wilkins said, “the advances we have had are like wind over the trees.”⁸⁰ Commissioners and staff had mentioned Vietnam sparingly—and Lucas had not actually quoted anyone affiliated with the commission about foreign commitments explicitly—but with the country mired in an unpopular war

⁷⁶ Robert Lucas, “Civil Disorders Report Should Surprise, Alarm Americans,” Danville (IL) *Commercial News*, Dec. 10, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

⁷⁷ *Ibid.*

⁷⁸ *Ibid.*

⁷⁹ *Ibid.*

⁸⁰ *Ibid.*

that siphoned off billions of dollars per year, Lucas's article undoubtedly resonated with those eager to point to the discrepancy in allocated funds for commitments at home and commitments abroad. In the coming months, Vice Chairman Lindsay, a staunch advocate of withdrawing from Vietnam, would become increasingly vocal in his criticism of that discrepancy.

On December 13, four days after the decision to abandon the interim report in favor of a consolidated effort, the commission announced significant cutbacks to its staff. Thirty staffers, many of whom were clerks, secretaries, and field investigators, were given three weeks notice as the commission entered a "phasing out" period. Ginsburg denied rumors that staffers were fired due to findings "highly critical of the administration," saying they were simply a consequence of the revised timetable; many of the investigators, he claimed, were going to have expired contracts at year's end anyway with investigations in riot cities complete.⁸¹ "I know some people are hurt, but it has nothing to do with the substantive work of the commission," he said, adding, "it isn't our duty to criticize the Administration but [rather] to find out what is wrong in our cities that causes riots."⁸² Wilkins seethed at those wanting to ascribe political significance to the commission's every move, calling such tendencies "subjective and highly interpretive."⁸³ Spivak also denied that the cutbacks were due to "irritation over what is in the report," though in a *Washington Star* article, an anonymous staff source claimed the draft would be heavily critical of the federal government and public and private

⁸¹ "President's Riot Study Panel Cuts Staff," *The Washington Daily News*, Dec. 13, 1967, "Newspaper Clippings Related to Commission," Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

⁸² *Ibid.*

⁸³ *Ibid.*

institutions.⁸⁴ Some of those leaving would do so at New Year's, while others would stay on until February 1 or March 1, when the report was scheduled for release. On the commission's copy of the *Star* article was a handwritten comment that read: "the first of what I hope will be the only staff leaks resulting from the very poor manner in which the personnel action was handled."⁸⁵ There was no indication as to who wrote the note.

News of the cutbacks also drew the ire of several congressmen. William F. Ryan, of New York, and Walter Mondale, of Minnesota, both wrote to Johnson upon hearing the news on staff reduction. "I was hopeful that [the commission's] findings and recommendations could lead to a sense of urgency within the Administration," Rep. Ryan wrote, but the decision to lay off workers left him skeptical of the White House commitment.⁸⁶ "I do not doubt that some of the findings of the commission will be unpleasant or even impolitic...but solutions with a free and progressive society will not be found unless harsh facts are faced candidly," he said.⁸⁷ Disbanding this commission, Ryan noted, did nothing to advance such goals. The congressman concluded that if "the commission simply papers over the problem, the underlying causes of civil disorder will persist."⁸⁸ The Kerner Commission needed a thorough, truthful report that contained as many recommendations as possible. Mondale told Johnson that if the rumors of cutbacks were true, "I wish to vigorously and strongly protest."⁸⁹ Why, he asked, would the commission downsize amid so much progress on urban problems under Johnson's own

⁸⁴ "Johnson Anti-Riot Panel Dropping Most of Staff," *The Washington Star*, Dec. 13, 1967, "Official Correspondence," Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

⁸⁵ *Ibid.*

⁸⁶ Rep. William F. Ryan to Lyndon B. Johnson, Dec. 13, 1967, "11/23/67-3/7/68," Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁸⁷ *Ibid.*

⁸⁸ *Ibid.*

⁸⁹ Rep. Walter Mondale to Lyndon B. Johnson, Dec. 13, 1967, "11/23/67-3/7/68," Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

watch? “As you also know, your detractors are ridiculing the commission as being a cynical dodge, which we know it is not,” Mondale wrote.⁹⁰ The liberal congressman branded it a terrible mistake to “deny the commission the funds and staff it needs” and that “such a move would be devastating politically and could be used by our opponents to profoundly question the motives of your administration...we would hand them a powerful advantage they would undoubtedly use.”⁹¹

The letters to Johnson from political allies were noteworthy for a few reasons. First, they were some of the first official correspondence between congressmen with Johnson himself. Most observations, suggestions, praise, or criticism went to Ginsburg, a high-ranking staffer, or an actual commissioner, but Ryan and Mondale both went straight to the top. Second, each appeal criticized the decision on different terms, though both had political ramifications in mind in doing so. Ryan echoed the sentiments of many staffers: that the commission needed to be forthright in its findings even if it were politically inconvenient (as Johnson had expressed multiple times, most notably in his brief, vulgar conversation with Fred Harris in July, he did not necessarily see it this way). Sanitizing the report risked validating the criticism that the commission favored appearances over substance and undermining a staff that, he claimed, already suffered from low morale.⁹² He also linked the staff cuts to reduced government spending more broadly. In contrast to the moral imperative of issuing an honest report, Mondale viewed the move purely in terms of politics; how could the White House say that the commission

⁹⁰ Mondale to Johnson, Dec. 13, 1967, “11/23/67-3/7/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁹¹ *Ibid.*

⁹² Ginsburg, for his part, denied that the commission staff suffered from low morale and claimed there was “no rift” that stemmed from findings. Morton Mintz, “Riot Probe Firings Attacked, Defended,” *The Washington Post*, Dec. 14, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

had made a sincere effort when given such a short amount of time to offer solutions? The entire episode was a reminder of the commission's precarious position in terms of its findings and relationship to the White House. Even though Ginsburg seemed to be telling the truth when he said the cutbacks occurred as a result of a singular, fast-tracked report, rumors swirled that it was due to the commission being uncommitted, afraid, or both. Any of these criticisms of the commission would elicit cries from liberals and conservatives that the entire exercise of the Kerner Commission was ineffective and, ultimately, doomed to fail. There was also the matter of just how sensitive the Johnson Administration was to criticism; just because layoffs had nothing to do with sensitivity did not mean that the White House was thick-skinned. While most of the commission's work, save for released testimony and the occasional press conference, unfolded behind closed doors, news of layoffs reminded the commission that every public maneuver was subject to inquiry.

The following day, Ginsburg received a letter from Thornton detailing his concerns about certain sections of the report. Upon returning to his home in California, Thornton had decided to expand on some of his comments from the December 9 meeting of commissioners, when he expressed doubt at some of the wording in the drafts, particularly in "The Roots of Racism and Alienation" and "The Patterns of Urban Violence." After discussing it with a historian whom he did not name, Thornton decided, as he told Ginsburg, that the drafts were "too one-sided, inflammatory, and in many ways historically inaccurate."⁹³ There were partisan elements of each paper, Thornton claimed, that he did not like, and each paper suffered from an "oversimplification of complex

⁹³ Charles Thornton to David Ginsburg, Dec. 14, 1967, "December 1-December 21," Box 2, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

subjects.”⁹⁴ He turned his attention first to “The Roots of Racism of Alienation,” which drew more criticism than its counterpart.⁹⁵ As an example, Thornton contested the origins of slavery, claiming it was rooted more in religious affiliation than skin color and that slavery had existed in Africa, with black masters; he also wished to depict “white American colonists in a better and more accurate light.”⁹⁶ He challenged characterizations of Washington, Jefferson, and Lincoln, among others; Washington and Jefferson were “essentially favorable to Negroes” and the draft needed to clarify that, he said. Thornton described statements on Lincoln’s establishing segregated units in the Union Army and how he “left them slaves where he had power” and “freed Negroes where he had no power” as “highly deplorable.”⁹⁷

Thornton’s chief complaint centered on the extent to which America was a racist nation; “it is true that millions of Americans rejected Abolitionist principles, as here stated...but it should be said that millions also accepted them.”⁹⁸ Simplifying American history as uniformly racist, as Thornton felt the staff had done in its draft, was misguided and overlooked the persistence of anti-racist actions over the course of the same period. He acknowledged the terroristic presence and rebirth of Ku Klux Klan, but said the draft

⁹⁴ Thornton to Ginsburg, Dec. 14, 1967, “December 1-December 21,” Box 2, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

⁹⁵ In a December 19 memo, John Koskinen relayed to David Chambers “additional comments” from the other commissioners on the “Roots of Racism” section. They did not share Thornton’s adverse reaction to the section; Harris, Koskinen wrote, “wanted us to editorialize about the fact that we have temporized with the Negro question throughout our history but that we cannot do that anymore.” Corman and Brooke wanted more of a focus on recent events in “a little greater detail,” which included “dramatizing Medgar Evers’ death” and “the bombing of small children in church.” While Harris had encouraged editorializing about the “Negro question,” Koskinen told his colleague that the Oklahoma senator had requested eliminating other, unspecified forms of editorializing “in the first few pages...on the other hand, Wilkins, Lindsay, and Brooke all specifically stated that they wanted the editorializing in.” John Koskinen to David Chambers, “The Roots of Racism and Rejection—Additional Comments,” Dec. 19, 1967, “Center Files #2,” Box 1, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

⁹⁶ Thornton to Ginsburg, Dec. 14, 1967, “December 1-December 21,” Box 2, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

⁹⁷ *Ibid.*

⁹⁸ *Ibid.*

would be “fairer if it brought out the fact that the Klan perpetrated many outrages on white as well as blacks, and if it gave some attention to leading publicists, government officials, and community leaders to bring about its suppression.”⁹⁹ If the report was to include a “florid description of a white child cutting off a Negro’s ears near Tuscaloosa,” it needed to be balanced out by “an account of the long battle which the *Atlanta Constitution* and *New York World* valiantly waged to end Klan activities.”¹⁰⁰ If it wanted to discuss how some factories excluded black workers in World War II, it also needed to touch on President Roosevelt’s executive order issued that forbade discrimination in defense industries. There was too much focus on “negative tendencies” and not enough on “constructive steps in race relations.”¹⁰¹

Thornton also objected to the description of *Brown v. Board*, which he said needed to be “in more generous and appreciative terms.”¹⁰² He characterized the paper as “grudging and hostile” and “partisan in character” when it needed to be a “scholarly, objective, and well-balanced presentation of the subject.”¹⁰³ Lyndon Johnson received no credit for the Great Society or any of his efforts in a “bitter, prejudiced, and one-sided manifesto.”¹⁰⁴ Thornton was not quite as harsh on “The Patterns of Urban Violence,” telling Ginsburg it was “much less a polemic against white attitudes.”¹⁰⁵ Two of his primary objections, however, centered around rioting itself; first, that the paper treated violence as normal, and second, that it did not condemn the riots. Riots in American history were more about religion and economic status than they were race, Thornton

⁹⁹ Thornton to Ginsburg, Dec. 14, 1967, “December 1-December 21,” Box 2, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰⁰ *Ibid.*

¹⁰¹ *Ibid.*

¹⁰² *Ibid.*

¹⁰³ *Ibid.*

¹⁰⁴ *Ibid.*

¹⁰⁵ *Ibid.*

claimed. Violence was not as ingrained in the American tradition as stated, and when it was, it had more to do with “differences over ideas and faith than racial antagonisms.”¹⁰⁶ He complemented the “Patterns” draft, however, for avoiding inflammatory language and melodrama. Thornton concluded his letter with a simple message for Ginsburg and those who believed that the report “should make the white community uncomfortable.”¹⁰⁷ The commissioner agreed, but not “at the expense of objectivity, fairness, and accuracy in drafting the report.”¹⁰⁸

Thornton’s note illuminated the hurdles faced by the Kerner Commission in getting white America to confront the nation’s racial issues earnestly; while he was certainly one of the more conservative members of the panel, his reaction and hypocrisies in documenting race and violence in American history reflected the views of many in the broader population. Thornton wanted to say there was violence and strife while omitting the actual details on violence and strife; he wanted, he claimed, to make white America uncomfortable, as Ginsburg did, but that sentiment came after multiple pages contesting material in the drafts that made *him* uncomfortable. Violence and slavery were somehow not rooted in race, in his mind, and yet the conversation on racial tension remained one worth having on his terms. Perhaps most importantly, Thornton’s critique that the report was too negative seemed to miss the point of the commission’s sections on race and violence in America and, arguably, the creation of the commission itself. Nobody denied that abolitionists and civil rights allies had fought the Confederate Army, the Klan, and citizens councils along the way; to offer equal ink to these “positive” forces, however,

¹⁰⁶ Thornton to Ginsburg, Dec. 14, 1967, “December 1-December 21,” Box 2, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰⁷ *Ibid.*

¹⁰⁸ *Ibid.*

was to undersell just how violent and racially tinged much of American history was, to take the focus away from violent traditions and the conditions that had bred riots. Interracial, bipartisan efforts had not diffused racial tension enough to prevent multiple conflagrations in major American cities in the 1960s, thus it did not serve anyone, other than perhaps those white moderates and conservatives who wanted more credit for what they had done, to dwell on accomplishments rather than shortcomings. At every turn, Thornton seemed to challenge the realities of racism—slavery was not about race, there were plenty of valiant efforts to fight it, and so forth. The critique that the drafts were “one-sided” was derived from fallacious thinking, as though the authors on the Kerner Commission staff did not believe white civil rights advocates had ever existed. They certainly had, but for every effort against the Klan, there were officials who looked the other way, or even endorsed its behavior. A sobering discussion of race that downplayed or altogether removed all racial elements simply would not work. For a commission predicated on the notion that America needed to do more for its black citizens, Thornton seemed to believe that it had already done enough.

Spokesmen for the Kerner Commission had said all the right things about the staff cutbacks, but a memo from McGrath to Kerner on December 15 told a different story. In sending newspaper clippings that reacted to the decision to issue a single report, McGrath told his boss that the articles touched on “news leaks, future expert critics of our report,” and the “need for a boost in morale to ensure many of the staff that the report will reflect the true feelings of the commissioners no matter how hard-hitting or abrasive these feelings may be to existing institutions.”¹⁰⁹ If Kerner could not share this with the staff in

¹⁰⁹ Kyran McGrath to Otto Kerner, Dec. 15, 1967, “Official Correspondence,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

person before the holidays, he needed to at least send a reassuring telegram. The commission needed all members—staff included—on board given the new grueling task that lay ahead.

The Johnson Administration received good news in the holiday season when Congress passed a two-year extension of the War on Poverty on December 15. *Congressional Quarterly* hailed the bill's approval as "a major legislative triumph" for the White House, which for a time, it claimed, "feared the program might be killed in the House."¹¹⁰ Authorization for the anti-poverty programs came at a time of cost-cutting pressure amid an unpopular war and the increasing feeling among congressional Republicans that many War on Poverty programs were ineffective. *The New Republic* castigated Republicans and southern Democrats for sandbagging legislation designed to aid the poor, specifically a \$25 million program aimed at feeding the hungry in the South.¹¹¹ Even as the agreement between the House and Senate was lauded, however, criticism of Johnson's domestic platform persisted. While Vice President Humphrey had campaigned for an increase in domestic aid and said "this country is in a mood to move forward," Johnson had remained tight-lipped when it came to financial solutions to poverty and rioting.¹¹² Journalist Clayton Fritchey had compared Johnson to a Republican the previous week, citing his focus on "crime in the streets" and decision to hush Humphrey when it came to federal funding.¹¹³ The president's stagnant approach had

¹¹⁰ "Floor Action-Congress Clears Two-Year Poverty Program," *Congressional Quarterly*, Dec. 15, 1967, 2546, "Senate Resolutions and Joint Resolutions, Jan.-Oct. 1967," Box 2, Series 36, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹¹ David Sanford, "Cities in '68," *The New Republic*, Dec. 16, 1967, 6, "Attitudes," Box 1, Series, 25, LBJ Library, Austin, TX.

¹¹² *Ibid.*, 7.

¹¹³ Clayton Fritchey, "U.S. in Mood to Solve Problems That Cause City Riots," *Memphis Commercial-Appeal*, Dec. 9, 1967, "Newspaper Clippings Related to Commission," Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

also drawn criticism from King, who said that the nation had no excuses to increase federal funding to combat poverty when it had “power to react, resources to tap, duty to respond.”¹¹⁴ After Johnson had rejected a \$3 billion program proposed by the Senate to increase jobs, King asserted that “what’s needed in 1968 is another Selma or Birmingham.”¹¹⁵ Plans for peaceful protests, he hoped, could avoid “the worst chaos, violence, and hatred that any nation has ever encountered.”¹¹⁶

Criticism of the federal government also surfaced with more released testimony from Kerner Commission witnesses. Herbert Gans, a sociologist from Columbia University, had told commissioners that the War on Poverty treated symptoms rather than causes, and that it was nowhere near the “full-scale campaign” necessary for fighting the poverty cycle in earnest.¹¹⁷ Programs had failed to “aid the rank in file of the ghetto” despite “endless publicity.”¹¹⁸ They “looked good on paper” but frequently failed to bring “better jobs, higher incomes or better schools to the ghetto.”¹¹⁹ Many on welfare either never received their welfare payments or received less than intended, according to Gans. He had seen the War on Poverty “work for a few but fail for many” and encouraged the government to execute domestic programs with the same diligence and efficiency it did when sending supplies to Vietnam.¹²⁰ William Taylor of the U.S. Civil Rights Commission described public industry beset by discrimination with no one willing to take

¹¹⁴ Fritchey, “U.S. in Mood to Solve Problems,” *Memphis Commercial-Appeal*, Dec. 9, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

¹¹⁵ Sanford, “Cities in ’68,” *The New Republic*, Dec. 16, 1967, 7, “Attitudes,” Box 1, Series, 25, LBJ Library, Austin, TX.

¹¹⁶ *Ibid.*, 8.

¹¹⁷ Ralph Kennan, “Witnesses Say Poverty War Has Missed Causes of Riots,” *The Baltimore Sun*, Dec. 17, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

¹¹⁸ *Ibid.*

¹¹⁹ *Ibid.*

¹²⁰ *Ibid.*

responsibility; rather than offer stability and independence, Taylor told commissioners, welfare had the opposite effect. It was not a hopeless situation, but it would require the “strongest kind of leadership at the top of every department of the federal government” to make the changes necessary for improvement.¹²¹

In the press, some found the decision to expedite the report’s release worrisome. An editorial in the Sunday edition of the *Washington Star* cited an anonymous source who said that the situation in American cities was “so critical we cannot afford to waste time writing an interim report.”¹²² It blamed extremists who “cloaked themselves in the garb of concern for the Negro” but actually wished to “destroy the government and the capitalist system as it functions in America.”¹²³ The editorial cited the travel schedule of Stokely Carmichael, who had spent five months fanning the flames of violence by speaking publicly in Paris and Havana on American evils and how he wanted the Vietnamese to prevail in the Vietnam War. His words were “not the words of a man trying to improve the lot of the Negro in the United States.”¹²⁴ If it was a race war these so-called revolutionaries wanted, the editorial concluded, their actions were certainly increasing the chances of making that wish a reality. The *Star* did not fault the Kerner Commission for amending its plans but found the elements that made such amendments necessary to be unnerving.

On December 19, *The New York Times* reported that as part of its revised single report plan, the Kerner Commission would not curb its proposals based on costs or the

¹²¹ Kennan, “Witnesses Say Poverty War Has Missed Causes of Riots,” *The Baltimore Sun*, Dec. 17, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

¹²² “Insurrection: How Real is the Threat?” *The Washington Sunday Star*, Dec. 17, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

¹²³ *Ibid.*

¹²⁴ *Ibid.*

political or economic climate. An article quoted Harris, Brooke, and McCulloch as having been “emotionally shocked” by the “depth and intensity” of urban problems.¹²⁵ When it came to carrying out proposals from the forthcoming report, Harris had a blunt assessment: “we ought to say what it takes to do the job and let the country make a conscious choice.”¹²⁶ The Oklahoma congressman added that “most people in the country don’t understand how serious these things are” and that he was “not quite as optimistic as I had been...it just seems like a great deal more complex than I thought.”¹²⁷ As he saw it, young black activists were quite cynical when it came to the civil rights movement’s ability to engender change, and the commission’s research to date proved that cynicism was justified. America needed both law and order and “political and economic equality for all,” he said, and needed to decide, after the thorough report’s release, what kind of commitment it wished to make.¹²⁸ Brooke seemed more optimistic, rejecting 1968 riots as “inevitable” and arguing that black militants would not wield as much influence “if we make a commitment and if the Negro can see progress.”¹²⁹ McCulloch reiterated his shock in visiting riot-torn cities. “I mean that, I was shocked,” he said, adding he had become convinced that urban squalor was “the most difficult, deep-seated problem of our century so far.”¹³⁰ While the article did not delve into specifics on proposals or spending, it was the latest red flag for a presidential administration that disagreed sharply with the notion that the costs of proposals did not matter. In a bit of foreshadowing, a sidebar to Joseph Loftus’s *Times* article featured recent comments made by Kerner on the origins of

¹²⁵ Joseph Loftus, “Riot Panel to Ignore Costs in Making Proposals,” *The New York Times*, Dec. 19, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

¹²⁶ *Ibid.*

¹²⁷ *Ibid.*

¹²⁸ *Ibid.*

¹²⁹ *Ibid.*

¹³⁰ *Ibid.*

riots. Kerner pointed to African Americans, once forbidden to marry, unable to “establish a culture,” and doomed to a feeling of inferiority.¹³¹ The centuries-old mistreatment bred cynicism and anger, which eventually “[gave] rise to volcanic expressions: rioting, injury, and death.”¹³²

As commissioners went public with declarations that cost not factor into the forthcoming report and its recommendations, more rumors of dissent in the commission’s ranks surfaced. This time, a report in *The Washington Star-Times* framed the rift as one between the commission staff’s younger and older members. Younger staffers—those in their 20s or early 30s who had conducted much of the field investigation in twenty-three cities as part of “city teams”—tended to be more radical and “emotionally upset about the plight of big-city Negroes than their older colleagues.”¹³³ Only massive federal spending to rectify the problems would suffice, the report claimed, and the innovative, driven voices who supported this course needed a platform. On the other side were the senior staff members, many of them established liberals who recognized the problems illuminated in the investigation while remaining “aware of the political limitations the commission faces,” according to the article.¹³⁴ In the middle were commissioners anxious to avoid controversy that had plagued bodies like the Warren Commission after the fact; there was a perception, supposedly, that the Kerner Commission had a responsibility “not only to the White House but to myriad other political forces brought to bear on an investigation of the scope being conducted.”¹³⁵ A source quoted fiercely rebuked the

¹³¹ Loftus, “Riot Panel to Ignore Costs,” *The New York Times*, Dec. 19, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

¹³² *Ibid.*

¹³³ Robert Walters, “A Controversy is Brewing,” *The Washington Star-Times*, Dec. 19, 1967, “Official Correspondence,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

¹³⁴ *Ibid.*

¹³⁵ *Ibid.*

report of White House control, describing it as “so much bunk...while we’re not about to apologize for any Democratic administration, we’re also not about to turn out a report which can be used in a Republican campaign document next year.”¹³⁶ Younger staffers had evidently not handled such pragmatism well; another source claimed the staffers “think they’re being paid with government funds and working in a government office building in order to plan a revolution against that government.”¹³⁷ Internally, these staff members firmly believed that the White House had seen their drafts and would have influence in choosing existing programs over new ones and avoiding massive spending.

Supposedly, the dispute had worsened when those younger staff members working in the field had finally put pen to paper and offered recommendations and conclusions based on their research. Three commissioners who were not named had reportedly perused some of the material and became “concerned about a ‘runaway investigation’ which might lead to a set of unacceptable and impractical recommendations.”¹³⁸ There was also the matter of the staff cutback, which had targeted many of the younger staff members in an alleged effort to “relieve the tension within the commission.”¹³⁹ The article listed 59 of the 93 staff scheduled to leave by the end of December and an additional 19 out by the end of January. Those slated to depart feared the report would be “in the hands of those who are too sensitive to political pressures and too unimaginative to match the scope of the problem.”¹⁴⁰ An unidentified staffer on the way out said that the younger contingent would be vindicated, in a sense, if the

¹³⁶ Walters, “A Controversy is Brewing,” *The Washington Star-Times*, Dec. 19, 1967, “Official Correspondence,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

¹³⁷ *Ibid.*

¹³⁸ *Ibid.*

¹³⁹ *Ibid.*

¹⁴⁰ *Ibid.*

commission trotted out toothless proposals. “None of us wants to see any more riots, but we’re also tired of ‘band aid’ solutions which only perpetuate the problem,” the staffer said.¹⁴¹ An older staffer disagreed, saying he had seen field reports he called inauthentic and “extremely impressionistic...we all want to see the problem solved, but it is not going to be done on the basis of personal emotions.”¹⁴²

Predictably, the *Star* article did not go over well with the commission. But there was more to the story. A memo from Spivak to Ginsburg indicated that the *Star* had received the information it published in its initial article, from December 13, under odd circumstances. On the night of December 12, someone had placed anonymous calls to both the *Star* and *The Washington Daily News* and claimed that the White House “today cut off all funds with the commission to do its work.”¹⁴³ The night editor at the *Star* informed staffer Larry Still of the sudden call, which also made allusions to staff members being fired abruptly. The caller had dictated his story to a typist at the *Star*, who then called Still to verify the information. The White House had cut funding “without knowledge of the commission,” according to the caller, because “the first draft of the report has been written and is somewhat critical of the White House and Administration.”¹⁴⁴ By terminating much of the staff, according to the caller, the commission would be able to craft its message much easier.

Spivak told Ginsburg that Robert Waters, a reporter at the *Star*, called Still and then spoke with Spivak himself to “work out inaccuracies—of which there are many,” on

¹⁴¹ Walters, “A Controversy is Brewing,” *The Washington Star-Times*, Dec. 19, 1967, “Official Correspondence,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

¹⁴² *Ibid.*

¹⁴³ Al Spivak to David Ginsburg, “News Leaks and Rumors,” Jan. 3, 1968, “1/1/68-1/25/68,” Box 386, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹⁴⁴ *Ibid.*

what the caller had said.¹⁴⁵ Both Spivak and Ginsburg had spoken to the *Daily News*, explaining that the layoffs were a matter of logistics, not White House irritation. Waters had then written the second story on December 19, which spoke in detail of the rift between “devoted but relatively radical youths on the staff” and “older established liberals” without consulting the “official viewpoint” from the commission.¹⁴⁶ The article, Spivak told his boss, had triggered a flood of calls from various media outlets, including *Newsweek*, *Time*, *The Washington Post*, and the *New York Post*. An editor with *Time* had told Spivak that a “member of the academic community who has been a consultant of yours” called one of the magazine’s outlying bureaus to “try to peddle roughly the same stuff that was in the anonymous caller’s memo.”¹⁴⁷ *The Washington Post* had written an “accurate but buried” story on the layoffs, while the *New York Post* had essentially replicated Walters’ story and the *Times* had refrained from writing on it at all.

There was now official confirmation that a Kerner Commission employee had leaked and attempted to leak damaging information to the press. “I think we can expect recurring flak from here on out because there is at least one disgruntled individual trying to peddle whatever he can to discredit the commission,” Spivak told Ginsburg.¹⁴⁸ His hunch, he said, was that it was not a lone actor, but he admitted he had “no evidence as to who the guilty party or parties may be.”¹⁴⁹ The layoffs had apparently provoked the initial call, but did that call come from a disgruntled, soon-to-be-unemployed staff member or someone still on the commission’s payroll who disapproved of the decision?

¹⁴⁵ Spivak to Ginsburg, “News Leaks and Rumors,” Jan. 3, 1968, “1/1/68-1/25/68,” Box 386, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹⁴⁶ *Ibid.*

¹⁴⁷ *Ibid.*

¹⁴⁸ *Ibid.*

¹⁴⁹ *Ibid.*

In addition to contending with the anonymous sources determined to embarrass the commission, staff also had to worry about how various press outlets would handle the information. Would they ignore it, as *The New York Times* had? Would they bury it, like *The Washington Post*? Or would other journalists, as Robert Walters had, decide that the provided information was worth printing, regardless of the commission's input? Just how critical the drafts of various sections of the forthcoming report—drafts that most commissioners had only seen recently—actually were of the Johnson and the White House was open to interpretation, but those nuances did not matter if reports of criticism and whitewashing made the headlines. Spivak seemed to think the issue had “fizzled out,” but the rumors and leaks were obviously concerning enough to warrant a longer memo to the commission's executive director.¹⁵⁰

For the general public, Walters' December 19 report was the most publicized, detailed account to date of a split within the Kerner Commission, and it brought to the surface the very political motivations that older staff members and commissioners wished to avoid. The optics of protecting an administration in the name of politics, even if it were untrue, was a poisonous way for the country to learn about the commission's behind-the-scenes activity. It would call into question the veracity of the commission's report and offer ammunition for every critic eager to lambaste presidential commissions as vapid, self-congratulatory wastes of time. The tension between staff and commissioners, which had existed for months, framed around the idea of “input” and keeping commissioners in the loop, now made more sense. Beyond the matter of bruised egos over not being consulted, the commissioners resented the staff members, if the report was to be believed,

¹⁵⁰ Spivak to Ginsburg, “News Leaks and Rumors,” Jan. 3, 1968, “1/1/68-1/25/68,” Box 386, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

because those staff members were making considerably more radical judgments based on what they had seen in the field, judgments that the commissioners did not necessarily share. How representatives of the commission would respond to the *Star* report—or whether they would respond at all—remained unclear, but it did little to assuage doubts that had festered for months.

With the Kerner Commission back in the news due to the new report plan and staff reduction, presidential candidate Richard Nixon took the opportunity to speak on how to fix issues in American slums. Nixon, who had focused most of his campaign to date on international issues, called for an infusion of aid, saying the demonstrations and radicalism “have reached a point of diminishing returns.”¹⁵¹ The California native was less interested in pursuing integration for integration’s sake and was instead keen on new programs and assistance that offered ghetto residents “more than an equal chance...on this score, I would be considered almost radical.”¹⁵² Nixon described the push for open housing as “the will-o’-the-wisp...I know that’s the exciting way to do things...Marching feet, protests...But the nation is awake.”¹⁵³ It was a time, he told his supporters, for “reconstruction, not revolution...for builders, not destroyers.”¹⁵⁴ Activists like Father James Groppi, who had testified before the Kerner Commission, were divisive; they did not offer the solution to ghetto problems, in Nixon’s mind. His measured comments made a point not to blame the urban poor for their problems or rely on the rhetoric of law and order; instead, he blamed old infrastructure and programs that had failed on Johnson’s watch. He also praised Democrats Robert F. Kennedy and Jacob Javits for wanting new

¹⁵¹ Robert Semple, “Nixon Gives Views on Aid to Negroes and the Poor,” *The New York Times*, Dec. 20, 1967, “12/22-12/31,” Box 2, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵² *Ibid.*

¹⁵³ *Ibid.*

¹⁵⁴ *Ibid.*

solutions to urban problems. That both men had criticized the Johnson Administration extensively was no coincidence. Nixon wanted to help the ghetto, and he wanted to do so on his terms; he made a point to criticize Groppi, a white priest, as an example of misguided activism. In seeking to avoid criticizing black activists or discuss segregation, Nixon sought to provide financial assistance to the ghetto without any kind of racial context. Solving the problems of the slums trumped examining the discriminatory roots of those problems; it was a tactically shrewd move, calculated to undermine political opponents and address domestic issues fraught with racial tension on moderate, color-blind terms.

Three days before Christmas, Ginsburg messaged commissioners on efforts to offer social and economic recommendations in light of the final report's accelerated timeline. Two meetings had taken place on December 12, and December 22, respectively, with Lindsay, Corman, Peden, and Harris attending. A third, scheduled for December 29, invited all commissioners. One of the primary issues discussed in the meetings revolved around the target audience for the report's social and economic remedies: did the commission need to speak to African Americans specifically, or tailor its ideas to lower classes more broadly? Not only was a focus on African Americans and the racial discrimination they had endured the morally appropriate course, Ginsburg told his colleagues, it was also less expensive and could prevent future riots. Recommendations aimed at poor, black Americans would address the origins of the problems that had necessitated the Kerner Commission in the first place. On the other hand, Ginsburg wrote, branding remedial programs with a "largely Negro" label risked losing white

support.¹⁵⁵ The executive director also made it clear that the audience for basic policy in the report was a “political judgment” rather than a scientific one, thus it was a decision for commissioners rather than staff.¹⁵⁶ Beyond the tangible consequences of choosing an audience for the final report, Ginsburg knew the importance of symbolism in the decision. While he personally believed that not all issues or solutions before the Kerner Commission were bound to race, he recognized that how commissioners characterized riots and their origins was of vital importance to how the American public would perceive the findings and recommendations.¹⁵⁷

Along these lines was the matter of how to reach the American public with the findings on March 1. An internal memo from Lindsay to Kerner indicated the vice chairman’s desire for the commission to focus on “the ignorance of the white community of Negro history and ghetto life and the impact of the mass media on our culture.”¹⁵⁸ He also noted it would be “ironic if this commission failed to use modern media to communicate its message.”¹⁵⁹ Conveying the message of America’s troubled racist history required a deft use of mass media, whether it was a documentary on that history or distilling the comprehensive report into a few paragraphs for those who would only consume it in newspapers or on the nightly news. “If we produce a report of several

¹⁵⁵ David Ginsburg to Commissioners, “Social and Economic Recommendations,” Dec. 22, 1967, “12/22-12/31,” Box 2, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵⁶ *Ibid.*

¹⁵⁷ *Ibid.* On the same day, Ginsburg also sent a memo to commissioners updating them on the status of the Safe Streets and Crime Control Bill, originally introduced to the House of Representatives on August 8. Ginsburg made a point to distinguish between the bill as Johnson introduced it to the House of Representatives with how the House had introduced it to the Senate. The bill, designed to provide grants for research and programs on crime control as well as “funds available specifically for riot control,” originally had \$30 million (of \$75 million total) “specifically earmarked for riot control,” but only had \$15 million authorized in the Senate’s version of the bill. As mentioned previously, lawmakers in the House had also replaced federal grants to local governments with block grants to states.

¹⁵⁸ John Lindsay to Otto Kerner, Dec. 26, 1967, “Commission on Civil Disorders-1,” Box 11, Office Files of Joseph A. Califano Jr., LBJ Library, Austin, TX.

¹⁵⁹ *Ibid.*

hundred pages, no matter how simply written, it will have a limited audience,” Lindsay stated.¹⁶⁰ It was up to the mass media to “take our case to the people.”¹⁶¹ Lindsay envisioned a documentary film, a “visual representation of the report, our findings and recommendations,” created with the help of private funding.¹⁶² Just as broadcasts needed diligence in reporting on riots to avoid worsening or exaggerating situations, they also needed diligence in offering viewers clear, cogent accounts of the Kerner Commission’s final report. In addition to the exhaustive effort that the revised timeline for the report entailed—whether it involved longer hours for research staff or more frequent briefings with commissioners—the commission needed a strategy to disseminate the findings and recommendations to the people upon the release of the report.

Beyond the role of the media, Lindsay also expressed serious concern about the progress of the report given the due date. He had sat in on “program review” with other staff members and commissioners and come away quite optimistic, he told Kerner; sections related to employment issue were solid, but needed “additional refinement and hard analysis...this will take time.”¹⁶³ Furthermore, preparing similar material on welfare, education, income maintenance, health, and other topics had not, as far as Lindsay could tell, commenced. “I believe that we must multiply significantly our resources...if we are to produce an outstanding report within our present stringent time limitations,” he wrote to Kerner.¹⁶⁴ The commission needed to consider “every possible means to beef up this research effort and speed these dates,” he added.¹⁶⁵ Lindsay

¹⁶⁰ Lindsay to Kerner, Dec. 26, 1967, “Commission on Civil Disorders-1,” Box 11, Papers of Califano, LBJ Library, Austin, TX.

¹⁶¹ *Ibid.*

¹⁶² *Ibid.*

¹⁶³ *Ibid.*

¹⁶⁴ *Ibid.*

¹⁶⁵ *Ibid.*

suggested hiring more research staff and consultants and “borrow[ing] on a full-time basis some of the leading experts within the government.”¹⁶⁶ His vision, he conceded, would likely cost “considerable additional money,” but it was necessary to produce timely, high-quality work.¹⁶⁷ Lindsay also worried about the “gaps that still exist in our knowledge of the proposed scope of the report.”¹⁶⁸ Commissioners had received a revised outline the previous week. “I had thought this would be a detailed document which would give us some idea of the content of the newly consolidated single report,” Lindsay wrote.¹⁶⁹ Instead, the outline was “extremely bare...we will have to await the arrival of a full draft before learning the framework of the report.”¹⁷⁰ When Lindsay’s representative at a commission meeting had requested that the staff “produce a full schedule for all sections of the report,” nothing happened.¹⁷¹ Commissioners had yet to see sections on “Government Programs,” “Polarization in the Community,” and “Community Response,” among other topics, and would see them for the first time the following week.¹⁷² He wanted commissioners to have “background material” to be “briefed” and “educated” on each section, given that it would be the first time they had read it.¹⁷³ “Without some form of briefing, the commissioners might agree on the language of a final draft without ever having recognized the difficult decisions that were resolved in its preparations,” Lindsay said.¹⁷⁴

¹⁶⁶ Lindsay to Kerner, Dec. 26, 1967, “Commission on Civil Disorders-1,” Box 11, Papers of Califano, LBJ Library, Austin, TX.

¹⁶⁷ *Ibid.*

¹⁶⁸ *Ibid.*

¹⁶⁹ *Ibid.*

¹⁷⁰ *Ibid.*

¹⁷¹ *Ibid.*

¹⁷² *Ibid.*

¹⁷³ *Ibid.*

¹⁷⁴ *Ibid.*

Ginsburg forwarded the note to Joseph Califano and asked him to return his call when he read it. Lindsay had been a thorn in the White House's side from the outset, and it did not seem much had changed in that regard. While Ginsburg did not editorialize on the letter when forwarding it to his friend at the White House, Lindsay's requests for staffing and funds came just two weeks after the announcement to scale back the entire operation. The letter begged another question: if the staff was indeed behind in drafting the report under the new guidelines, why was this not expressed more forcefully at a commission meeting, beyond passing comments that the staff might work themselves into the hospital? While Lindsay was certainly not alone in complaining about the disconnect between commissioners and staff that resulted in not having seen large portions of the report-in-progress, his decision to frame the situation as dire seemed out of step given the unanimous vote to issue one report earlier in the month. As the commission announced it would speed matters up, it was in a mood to scale back, to wind down; how was Kerner, appointed chairman, supposed to now ask for additional staff and funding with money tight and so many employees primed to exit? Neither Kerner nor Califano had a written or published response to Lindsay's letter, but it likely raised eyebrows given how the commission's course had changed in December.

With a new year on the horizon the commission had one final public crisis to address. Thomas Tomlinson, a research worker employed by the OEO, had presented a paper at an American Association for Advancement of Science conference in New York. In preliminary remarks released to the public, Tomlinson, a former UCLA professor and psychologist who had also served as an investigator following the 1965 Watts riots, criticized the Kerner Commission and accused it of backing off its original

recommendations of up to \$25 billion dollars in funding due to political pressure. The remarks, which his superiors at the OEO had not seen, indicated the commission had dropped its recommendations because “the country would not stand still for such a demand...Not with a war and gathering white hostility about Negro behavior...Not in an election year.”¹⁷⁵ Tomlinson added that America in 1967 “seems to feel that it is cheaper to kill Negroes for burning and looting than it is to spend the money which might create a life which obviates these responses.”¹⁷⁶ He reiterated his claims to CBS News, sending staffers and commissioners scrambling. When reached for comment, Fred Harris called Tomlinson’s comments “rash, inappropriate, and inaccurate.”¹⁷⁷ Ginsburg issued a press release responding to the comments as well, calling them “irresponsible and totally inaccurate...the quoted remarks do not reflect the facts.”¹⁷⁸

Spivak messaged Ginsburg and told him he had spoken to one of Tomlinson’s OEO colleagues who said that Tomlinson “did this on his own hook...he didn’t run it through us.”¹⁷⁹ Efforts to reach Tomlinson to tell him to “tone the thing down” had been unsuccessful; “I hope by tomorrow it will be changed...if we can get ahold of the guy,” Tomlinson’s colleague had told Spivak.¹⁸⁰ The commission’s press secretary told Ginsburg the situation provided “ingredients for a world championship in indiscretion.”¹⁸¹ United Press International quoted an unidentified source within

¹⁷⁵ United Press International Press Release, Dec. 29, 1967, “Reaction: Pre-Report,” Box 5, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁷⁶ *Ibid.*

¹⁷⁷ David Ginsburg to Commissioners, Dec. 29, 1967, “Commission-General,” Box 4, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁷⁸ David Ginsburg, Press Release on Rumors of Program Recommendations, Dec. 29, 1967, “December 22-December 31,” Box 2, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁷⁹ Alvin Spivak to David Ginsburg, “Tomlinson Paper,” Dec. 28, 1967, “Tomlinson and Social Scientists,” Box 2, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁸⁰ *Ibid.*

¹⁸¹ *Ibid.*

commission ranks who denied Tomlinson's claim that officials had ditched the interim report because final recommendations would only consist of short-term solutions. "There simply are no short-range solutions to this problem," the source told UPI, adding that the commission was "preparing a landmark report that will require some important decisions by the administration, Congress, governors, mayors, and the nation."¹⁸² Low-budget recommendations were also not likely, in spite of "President Johnson's problems with the budget and the costly war."¹⁸³ The episode was another example of just how difficult containing information had proven for the Kerner Commission; rumors of abandoning ambitious recommendations did little to quiet the skeptics who remained convinced that the commission operated on President Johnson's terms.

Soon, it would be 1968. The Kerner Commission would have two full months to write and edit the rest of its report before revealing its findings to the nation. More testimony had trickled out in the last week of the year—from a number of employment experts offering bleak outlooks on the state of the American job market to mayors like Jersey City's Thomas Whelan, who stated it was his "sincere belief that riots are not caused by social conditions" and that complaints of police brutality and deprivation were excuses and "after-the-fact explanations drilled into the minds of the people."¹⁸⁴ Whelan's comments echoed those of another New Jersey mayor, Plainfield's George Hetfield, who had told John McClellan's Senate investigation earlier in the month that riots in Plainfield were perpetrated by violent black criminals with a "thorough

¹⁸² UPI Press Release, Dec. 29, 1967, "Reaction: Pre-Report," Box 5, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁸³ *Ibid.*

¹⁸⁴ UPI Press Release, "Cities," Dec. 23, 1967, "Newspaper Clippings Related to Commission," Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

knowledge of the science of rioting, if not guerrilla warfare.”¹⁸⁵ Whelan and Hetfield’s statements, which shirked any kind of responsibility on the part of the government or broader society, offered the exact answers many Americans wanted to hear. The employment experts whose testimony the commission released on New Year’s Eve were more sympathetic to the causes and problems plaguing ghettos but offered sobering assessments. One economist who testified said that in the urban North, “the civil rights measures at both federal and state levels have had almost no impact whatsoever, and have been almost totally irrelevant.”¹⁸⁶ Another said the civil rights activity in the 1960s convinced many in white America of progress that never actually played out in ghettos. “We cannot mishandle a social problem for 350 years and assume that palliatives, social programs, and so on are going to change it,” said Eli Ginzburg of Columbia University.¹⁸⁷ It was amid this cacophony of public voices—of thousands of experts and self-proclaimed experts, many with different causes, solutions, and interests in the matter, each more than willing to frame the stakes of the riots and the broader exercise in a particular way—that the Kerner Commission entered the stretch run of producing its anticipated report.

¹⁸⁵ Cecil Holland, “Riots Were Planned, Plainfield NJ Mayor Testifies,” *The Washington Evening Star*, Dec. 5, 1967, A6, “Office of Congressional Relations-Clippings,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁸⁶ “Job Programs Inadequate, Economists Tell Riot Panel,” *The Washington Star*, Dec. 31, 1967, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin TX.

¹⁸⁷ *Ibid.*

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“The basic question is whether he will seek to mediate the issues by interpreting the problems of the Negro to the white community,” Victor Palmieri wrote to his colleague, David Ginsburg.¹ “He,” in this case, was President Lyndon Johnson. The memo, dated January 2, offered suggestions on the State of the Union address President Johnson would deliver before a joint session of Congress later in the month. “If he were to attempt this it would be an act of great political courage but not, let’s say, politically rewarding,” Palmieri added.² Johnson needed a “tone of competence and a sense of direction coupled with compassion and charity,” but he also needed to “address the problem without saying too much.”³ Palmieri’s comparison was Abraham Lincoln’s second inaugural address from 103 years prior; the president had to express how unproductive violence had been, how moderate leaders had made significant gains, and how the federal government remained committed to measures ensuring equal rights and equal opportunities for all Americans. He did not need to discuss the riots directly, but there was also, in Palmieri’s opinion, “no way [he] can politically get by” without supporting local police and lodging a “heavy attack” on crime and criminal behavior.⁴ Johnson thus found himself, yet again, in an unenviable position; many white Americans had tired of hearing of the plight of African Americans amid landmark civil rights gains. At the same time, in spite of those gains, there remained a “strong current in mistrust about the U.S. as it is now run,” a mistrust that lay, in part, in doubts about the intentions

¹ Victor Palmieri to David Ginsburg, January, 2, 1968, “Victor Palmieri #2,” Box 3, Series 37, Records of the National Advisory Commission on Civil Disorders, Record Group 282, Lyndon B. Johnson Presidential Library, Austin, Texas.

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.*

of the white power structure and the willingness of police to treat black citizens fairly. Palmieri, the Deputy Executive Director of the Kerner Commission, suggested to his boss, David Ginsburg, that the commission needed to empathize with the urban poor without mentioning the riots or any details.

As a cover story in the January issue of *Fortune* detailed, this was a tone-deaf strategy given the complex, wide-ranging views of black America at the moment. African Americans entered the year 1968 exhibiting both newfound hope for the future and lingering frustration with white America for a number of reasons. “Negroes are drawn together by a sense of progress, and also by a sharply defined, realistic set of objectives—notably, more education for their children, more desegregation, better jobs, and better police protection,” author Roger Beardwood observed.⁵ The comprehensive survey, organized by a New York-based firm, interviewed African Americans in thirteen cities regarding their attitudes on racial issues and the state of the nation. Separately, the firm interviewed African Americans in groups. Three in four told researchers their condition had improved in recent years, while eight in ten believed their chances for landing a superior job had improved. Three in four also felt more optimistic that “Negroes’ problems will be solved.”⁶ This kind of response across such a broad swath of the black population certainly displayed hope.

That hope, however, was “mixed with anger, and it is very aggressive.”⁷ Nearly half of those surveyed described themselves as angrier than in recent years, which the

⁵ Roger Beardwood, “The New Negro Mood,” *Fortune*, 146, January 1968, NACCD, RG 282, LBJ Library, Austin, TX.

⁶ *Ibid.*

⁷ *Ibid.*

article characterized as an “important ambivalence.”⁸ Accompanying the optimism and “recognition that conditions have improved” was “bitterness and anger and a dominant resentment of white people.”⁹ While 37 percent of those polled said their feelings toward white Americans had improved, 33 percent said they had worsened and the remaining 30 percent answered that their “feelings of mistrust” remained.¹⁰ Sentiments of hope and anger seemingly contradicted each other, but the *Fortune* story cited the prevailing belief that improvements for African Americans were due to “their own efforts” and “winning gains for themselves” rather than action from the white establishment.¹¹ Although the *Fortune* survey indicated that most African Americans preferred charting a nonviolent course—83 percent of those polled believed that Dr. King “fights for what the people want,” in contrast with just 32 percent believing the same about Stokely Carmichael and 25 percent about Rap Brown—the statistics also presented evidence that larger numbers of black youths supported violence as a necessary means to an end. Of those polled between the ages of 16 and 25, 40 percent deemed violence “necessary to achieve Negro objectives”; 44 percent of those polled outside of the South gave the same answer to the same question.¹²

The sense of progress was tempered by mistrust on the part of younger African Americans toward “a great many things they have been taught by the white culture.” They preferred using “black” instead of “Negro” and believed that large numbers of whites lied about their attitudes toward black people. Beardwood asked his readers: “Can

⁸ Beardwood, “The New Negro Mood,” *Fortune*, 147, January 1968, NACCD, RG 282, LBJ Library, Austin, TX.

⁹ *Ibid.*

¹⁰ *Ibid.*, 148.

¹¹ *Ibid.*

¹² *Ibid.*

America as it is run now solve the problems of black people? Does it really desire to solve them?"¹³ While the wide-ranging survey suggested that "the majority still answer those questions with a yes," it was, he conceded, "often a tremulous yes."¹⁴ If the issue was "one of faith," as the article phrased it, militants seemed to express a loss of faith, "a mood shared by many people, particularly the young."¹⁵ A *U.S. News & World Report* article cited concerns, which included a quote from Mayor John Lindsay, that "next summer will probably be worse," that gun sales had spiked, and that some militants had even discussed violence in the winter.¹⁶ "Let there be no mistake...we are talking about a state of total, hostile and aggressive guerrilla warfare carried out on the streets and highways of our communities," activist Harry Edwards said.¹⁷ The *Fortune* article acknowledged the unavoidable militant streak, but the numbers of those committed to peace and expressing optimism for the future meant its prognosis was not quite as dim. Only when nonviolence merged with cooperation and success could "Negro anger and violence...diminish."¹⁸

Beyond the president's standard election-year overtures, the Kerner Commission knew the significance of its report on African American attitudes. With many outlets still speculating that riots and inner cities could surpass Vietnam as the most important election issue, the stakes for the report—due on March 1—were not lowering anytime soon. Writing to Palmieri, staffer Royce Lowry's revisions on one particular chapter draft

¹³ Beardwood, "The New Negro Mood," *Fortune*, 150, January 1968, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴ *Ibid.*

¹⁵ *Ibid.*

¹⁶ "Riot Forecast: More Violence in New Year," *U.S. News & World Report*, Jan. 8, 1968, 62, "Attitudes," Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁷ *Ibid.*

¹⁸ Beardwood, "The New Negro Mood," *Fortune*, 150, January 1968, NACCD, RG 282, LBJ Library, Austin, TX.

declared that African Americans “do not expect this world handed to them on a silver platter, but they are deeply resentful of pervasive and continuing affronts to themselves as citizens and as human beings.”¹⁹ Lowry corroborated the *Fortune* survey results when he noted that data showed that riot-torn cities “have not fully shared in American economic growth since World War II,” that there was “a solid factual basis for Negro concern about jobs and housing,” and that “Negroes have strong feelings that local governments are not responsive to their needs.”²⁰ While the White House negotiated civil rights and racial divisions in the broader public, officials in the Kerner Commission worried about the political ramifications of commission findings in Washington. Writing on January 2 to his boss, Otto Kerner, Kyran McGrath argued that the long-term program section of the Kerner Commission’s report, “if allowed to develop at its current rate, will become an embarrassing vehicle on which the Administration will heap all of its Great Society programs and use the 1967 riots as a lever to sell them to the public and to the Congress.”²¹ Not only would the Johnson Administration use the long-term findings to push its own existing agenda, many would dismiss the report quickly upon reading its praise for federal programs. “I think the Commission would be very poorly advised to allow this to usurp the real purpose of the report,” McGrath added.²²

McGrath also cautioned against “attaching cost estimates” to expanding federal programs, calling it “the height of folly for the commission to attempt in its report.”²³

Telling Congress how to allocate funds on such a contentious issue would bring “a hostile

¹⁹ Royce Lowry to Victor Palmieri, “Draft of Chapter 2—Patterns of Disorder,” Jan. 5, 1968, “Critical Comments on Drafts,” Box 3, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

²⁰ *Ibid.*

²¹ Kyran McGrath to Otto Kerner, Jan. 2, 1968, “Official Correspondence,” Box 1392, Series I, Otto Kerner Papers, 1947-1968, Abraham Lincoln Presidential Library, Springfield, Illinois.

²² *Ibid.*

²³ *Ibid.*

reaction from an already hostile Congress,” and estimates were bound to be inaccurate anyway, McGrath wrote. “Any specific cost estimate will draw fire and criticism from both liberal and conservative segments of society,” he said, adding that the “liberals will say the recommendations are too little, and the conservatives will say the recommendations are too much.”²⁴ All of it would distract the commission from its chief objective in writing the report: offering the public a harsh assessment on American racism. The commission did not need problematic, inexact costs to make its findings a partisan issue, nor did it need the report to be a “vehicle for selling the Great Society programs to Congress” and a “Christmas tree for Washington bureaucracy.”²⁵ Acquiescing to partisan feuds or White House desires would doom the report, he said. The American public would “discard” it as “another sales pitch from the White House.”²⁶

The contrast between the two letters, written on the same day, offered more evidence that not everyone associated with the Kerner Commission was on the same page. This was not a matter of starry-eyed staffers clashing with grizzled, realist commissioners, either; on one hand, the Deputy Executive Director of the Kerner Commission endorsed to his boss the notion of the president speaking to the nation on civil rights and progress without getting into details or the very incidents that required the commission to form the previous summer. On the other, the commission chairman’s right-hand man told *his* boss that the report was doomed if it came across as a conduit for the Johnson Administration’s goals. The commission could not allow politics or White House goals to derail its agenda—and yet its high-ranking staffers were literally phoning

²⁴ McGrath to Kerner, Jan. 2, 1968, “Official Correspondence,” Box 1392, Series I, Kerner Papers, 1947-1968, Lincoln Library, Springfield, IL.

²⁵ *Ibid.*

²⁶ *Ibid.*

private lines offering President Johnson advice on how to discuss publicly the thorny subjects the report addressed. Both letters grappled with the idea of the political courage required in chronicling the stain of American racism, but they differed on what that courage actually entailed. One letter championed federal programs, while the other stressed not aligning with them too closely for a number of reasons. These differences foretold just how messy choosing the contents of the report and the dialogue surrounding that issue would be in the coming months.

On top of this discrepancy came an unsettling coda to the Tommy Tomlinson issue from the previous week. The commission had dispatched staffer Larry Still to New York to hear Tomlinson's paper at the American Association for the Advancement of Science conference after a pre-circulated text featuring critical remarks about the Kerner Commission. Still reported that Tomlinson "changed his text considerably" in his presentation, scrapping his criticism of the president and the commission.²⁷ In a surreal twist, however, the moderator for Tomlinson's panel recognized Still, sitting in the audience as a Kerner Commission operative, and asked him questions directly. Writing to Alvin Spivak, Still said he told the audience he was not attending as a commission spokesman, that the commission staff was aware of Tomlinson's comments, and that the commission would assess all realistic options as it pressed forward. He did little to convince the panelists, who agreed in the question-and-answer session that the commission's recommendations would not bring any kind of significant changes because

²⁷ Larry Still to Alvin Spivak, "Discussions on Riots and Mass Violence at the American Association for the Advancement of Science Meeting in New York," Jan. 3, 1968, "Tomlinson and Social Scientists," Box 2, Series 47, NACCD, RG 282, LBJ Library, Austin, TX; Tomlinson's prepared text also made reference to the notion that it was cheaper for America to kill than solve problems. He mentioned this in his actual presentation, but Still, according to his letter, "did not recall hearing him say this."

“the American people were not prepared to accept them.”²⁸ Other panels at the conference had supposedly criticized the commission more bluntly, with one speculating that the commission staff’s “Fruits of Racism” paper on the extent of white racism went “beyond acceptable bounds” and triggered a change in the commission’s timeline as well as massive staff layoffs.²⁹

The paper in question—actually called “The Harvest of American Racism”—was a 172-page document, rarely discussed in the press or in commission correspondence, researched and written by a group of Kerner Commission staff and completed in late November. Written by “our friends, the social scientists,” as one senior staffer referred to them disparagingly, the “secret” report supposedly claimed that “civil disorder helps, rather than hurts, the advancement toward Negro goals” and, contrary to what many had said, were actually an effective and even logical reaction in light of the conditions.³⁰ According to text from a report by the Chicago bureau of United Press International, some within the commission believed the controversial paper had led directly to the choice not to release an interim report. “Copies of this report are numbered and kept in locked files,” the UPI release said, and the report was also “critical of the actions of some police departments and National Guard units during riots.”³¹ Writing to his colleagues, Ginsburg and Palmieri, Spivak declared that he “told UPI that the Commission has received a vast number of views from a vast number of people in a vast number of documents and we were not going to comment on any of them.”³² He denied that the

²⁸ Still to Spivak, “Discussions on Riots and Mass Violence,” Jan. 3, 1968, “Tomlinson and Social Scientists,” Box 2, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

²⁹ *Ibid.*

³⁰ Alvin Spivak to David Ginsburg and Victor Palmieri, “Harvest of Racism,” Jan. 17, 1968, “Tomlinson and Social Scientists,” Box 2, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

³¹ *Ibid.*

³² *Ibid.*

White House had rejected the report and said the Kerner Commission did not “base its decision on any staff or consultants’ documents, but [rather] on the reasons given in the announcement made by the Commission on Dec. 10.”³³

Spivak’s boilerplate denial did not prevent the mysterious report from receiving more press. The *Miami Times* ran an article speculating that the commission planned to publish it in its interim report and reiterated that “because of the highly critical comments of this document the report was not made.”³⁴ City governments, according to the article, were “indifferent and unresponsive to the demands of Negroes” in the “Harvest” report; the staffers who wrote it argued in favor of riots to “dramatize the finding that legitimate channels for expressing grievances were either closed or ineffective in the riot cities.”³⁵ At a press conference later in the month, Kerner and Lindsay would deny having seen the report and reason that staff members had linked it to layoffs and the revised timetable due to bitterness. “The Harvest of American Racism” and its contents did not become a national story in January, but the articles that did surface only increased suspicions that the Kerner Commission answered to the White House and risked censorship if it provided uncomfortable truths to Johnson and his inner circle. They validated left-leaning concerns that even when commissioners and high-ranking liberals said the right things about finding the truth through exhaustive research and a detailed report, those findings that breached “acceptable bounds” or were deemed politically inconvenient were still subject to suppression.

³³ Spivak to Ginsburg and Palmieri, “Harvest of Racism,” Jan. 17, 1968, “Tomlinson and Social Scientists,” Box 2, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

³⁴ “Secret Report Shows Riots Help,” *The Miami Times*, Jan. 19, 1968, “Tomlinson and Social Scientists,” Box 2, Series 47, NACCD, RG 282, LBJ Library, Austin, TX

³⁵ *Ibid.*

As the commission approached its final phase in drafting the report, its budget woes emerged once again. In a January 6 memo, Ginsburg told his commissioners that he had requested \$275,000 to carry the operation through July 28, 1968, the one-year anniversary of establishment. At a minimum, he needed \$125,000 to pay for the work through March 1, the report's scheduled release date; if the commission did not receive this money, Ginsburg wrote, it would "stop work immediately" on the long-range program and media study sections and "pay for the work already done with money now budgeted for print and distribution."³⁶ If the commission had to resort to this, it could not publish more than 1000 copies of its report when it had intended to distribute at least 50,000 copies. The consequences of terminating the commission on March 1 would include no post-report correspondence, no organizing of commission records—regarded as a "unique source material for future studies"—and no completion of the major attitude survey sponsored by the Ford Foundation, among other tasks.³⁷ "If the commission's life is terminated as of March 1 some commissioners are likely to be openly critical and the press would probably regard the decision as confirming reports that the Administration has decided to abort the commission's effort," Ginsburg wrote.³⁸ He cited funding issues and the decision "not to ask for an appropriation" as a vital factor in the decision to "dismiss people sooner than we had planned," leading to a "good deal of misunderstanding and suspicion within the commission and misleading talk, public and private," regarding the report's contents.³⁹ Now, the commission was asking for a final

³⁶ David Ginsburg to Commissioners, "Kerner Commission Budget," Jan. 6, 1968, "11/23/63-9/30/67," Box 386, FG 690, National Advisory Commission on Civil Disorders, White House Central Files, LBJ Library, Austin, TX.

³⁷ *Ibid.*

³⁸ *Ibid.*

³⁹ *Ibid.*

financial boost; if it did not receive it, according to Ginsburg, “serious trouble, within and outside the commission, is almost a certainty.”⁴⁰ The decision would go a long way in determining the commission’s closing timeline, and with the first commissioner-only meeting fast approaching, Ginsburg needed to know so that “action can be taken in accordance with the available funds.”⁴¹

Ahead of the first commission meeting, where attendees planned to review the contents of each chapter extensively, John Lindsay sent his colleagues a scathing critique of the chapter drafts he had received. The New York mayor’s main issue with the material was a “lack of a sense of urgency...in both tone and content, the report has a static quality.”⁴² There was no national plea for action congruent with the tense, desperate climate. He reminded the commissioners that the country was “rapidly polarizing” and that disillusioned African Americans, reactionary whites, and repressive police threatened to worsen the polarization if the Kerner Commission and the broader nation did not make a firm stand.⁴³ “If we are to head off more summers like the last and lead the nation toward a constructive program, we must above all deal with this pervading national mood,” Lindsay said.⁴⁴ He continued with his blunt assessment:

This report must realistically confront these dangerous trends. We must point out where they are likely to take us. We must translate present attitudes and actions into possible events in the coming months and years. The report, as now written, seems hardly relevant to January 1968-June 1968. There is an unreal academic quality to the recommendations that don’t seem to relate to the pressing facts of life on the streets of urban America.

⁴⁰ Ginsburg to Commissioners, “Kerner Commission Budget,” Jan. 6, 1968, “11/23/63-9/30/67,” Box 386, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁴¹ *Ibid.*

⁴² John Lindsay to Commissioners, “Comments on Draft Report,” Jan. 9, 1968, “Critical Comments on Drafts,” Box 3, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

⁴³ *Ibid.*

⁴⁴ *Ibid.*

This can't be just another Presidential Commission with another report for America. This is the most serious domestic crisis we have faced in the past century. It threatens the peace, stability, and growth of our society. There can be no delay. We need action. Our program must call for an unprecedented national commitment for a domestic problem. The challenge is equal to any we have ever had from outside. And we need no lesser level of a response—a wartime level of resources and commitment with a full domestic strategy.

Most Americans view last summer's racial disturbances as a Negro problem. In reality, it is a white problem—the result of white discrimination and prejudice that has existed throughout American history.⁴⁵

Lindsay had established himself as the commission's progressive, unfiltered voice the previous summer, and the critiques offered on what the staff had produced were evidence that his passion for embracing this role had not waned. In addition to branding the drafts as overwritten and inaccessible, Lindsay did not believe they captured the full extent of racism and its corrosive effects on American society. Too many times, he told his peers, passages described discrimination and prejudice in past tense, as though it filled the past but eluded the present. Where were the documentations of racism in the North in the 1960s? Where were the testimonials from African Americans on experiencing such discrimination, “how it is exercised and how it is felt”—not in 1936, but in recent months? Similarly, the drafts gave “no sense of the history of Negro thought.”⁴⁶ Lindsay wanted to understand the “nature of underlying frustrations,” the origins of black consciousness, and how these had come to shape African American identity.⁴⁷ An academically inclined staff needed to incorporate these ideas into a comprehensive report on riots and their origins. “Young Negroes are today extremely

⁴⁵ Lindsay to Commissioners, “Comments on Draft Report,” Jan. 9, 1968, “Critical Comments on Drafts,” Box 3, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*

pessimistic about the nature of race relations in America,” Lindsay wrote, adding that the commission “must at least try to understand their feelings.”⁴⁸

In concluding, Lindsay offered two final points for his fellow commissioners to consider. First, that the report needed to delineate much more clearly the difference between concerns over crime rates and a fear of people of color. He described repression as a “dangerous step with serious ramifications likely to make Negro hostility even deeper and aggravate existing conditions.”⁴⁹ Not separating the two issues fed into racist notions of inner cities and street crime that pathologized all African Americans as criminals, offering “official sanction and reinforcement to white prejudices” and “evidence to skeptical ghetto residents that America does not intend to deal constructively with this problem.”⁵⁰ If the commission did not choose its words carefully, it could offer the impression that “white America wants to eliminate the Negro problem rather than deal with it.”⁵¹ Lindsay’s second point called for the commission to “measure commitment in terms of money.”⁵² Detailed accounts of America’s flawed sociopolitical climate were necessary, but so too was putting a price tag on the solutions necessary to ameliorate that climate. The report needed to, in Lindsay’s words, “measure commitment in terms of money” and “develop a full plan with a year-by-year time schedule for a total national effort to deal with these problems.”⁵³ Even if the projections were uncomfortable, Lindsay wrote, they were necessary. His shirking of platitudes in favor of explicit costs and a clear recitation of the issues was sure to antagonize some of his peers,

⁴⁸ Lindsay to Commissioners, “Comments on Draft Report,” Jan. 9, 1968, “Critical Comments on Drafts,” Box 3, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

⁵² *Ibid.*

⁵³ *Ibid.*

but an open letter ahead of face-to-face meetings demonstrated that he did not intend to back down from his promises.

Also on the agenda was Kerner and Lindsay's first press conference since October—the first since the December announcement that the commission would consolidate its report. The day before the press conference, Spivak sent a memo to Kerner, Lindsay, and Ginsburg anticipating lines of questioning and any issues or topics the senior-ranking commissioners might have to address. Ginsburg had not billed it as a formal press conference, Spivak said, but that was “obviously what it is...the purpose, in mind, is to be in position to answer several questions that are likely to be raised in several areas where rumors are now running rampant.”⁵⁴ Spivak immediately addressed the first rumor—which had “run around Capitol Hill and has bounced back repeatedly from newsmen”—that Johnson had seen the draft of the report in December and “ordered a purge of the staff and demanded that (1) only one report be issued instead of two and (2) it be considerably watered down” due to its recommendations for “so vast and far-reaching and expensive a program.”⁵⁵ The rumors were “diametrically opposite to the truth,” but they had stayed in the press due to the Tomlinson fiasco (though Spivak acknowledged Tomlinson “deleted his references to the Commission when he spoke”) and an NBC report that claimed unnamed congressmen were “up in arms.”⁵⁶ Spivak also raised the possibility of the press asking questions on the “alleged disagreement among commissioners...over how far to go with their recommendations.”⁵⁷ Even though such reports had dwindled in recent weeks, Spivak said the press framed the disagreement as

⁵⁴ Alvin Spivak to Otto Kerner, John Lindsay, and David Ginsburg, Jan. 9, 1968, “Press Conferences,” Box 3, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

one between “members of Congress being unwilling to go as far as others in pinning down legislative proposals” and non-members who felt untethered by such restrictions.⁵⁸ He did not editorialize on this issue.

Members of the press corps would also ask about the staff cutbacks, Spivak said. “Here, again, there have been rumors of a purported presidential purge, and claims varying from the ‘entire’ staff to ‘40 percent’ of it,” he wrote to his colleagues.⁵⁹ He offered an enclosed memo from staffer John Koskinen on the matter, “if you are asked about this and want to set it straight.”⁶⁰ Of the staffers who were “terminated, dropped, or what-have-you as of December 31,” Spivak said, “about 25 were supposed to have gone then anyway.”⁶¹ Kerner and Lindsay could also expect to hear about the commission’s budget, about the White House allegedly “cutting the commission off without a dime out of pique over its hard-hitting proposals,” and about how the commission had supposedly run out of money and had to lay off workers and cut short some of its proposals.⁶² Spivak told the commissioners and executive director his response to the budget questions: that the commission, “in deciding to advance its final report and combine it with the interim one, at no time mentioned either its budget or the desires of the Administration” and had unanimously made its decision on its own and based it entirely on a sense of urgency to get its findings to the nation before the spring.”⁶³ Kerner and Lindsay could also expect questions on additional staff reductions, when the report would be available in hard copy, what it would say, and whether it would make reference to conspiracy and the role of

⁵⁸ Spivak to Kerner, Lindsay, and Ginsburg, Jan. 9, 1968, “Press Conferences,” Box 3, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁵⁹ *Ibid.*

⁶⁰ *Ibid.*

⁶¹ *Ibid.*

⁶² *Ibid.*. Ginsburg’s note on the budget from days earlier did seem to indicate a correlation between the cutbacks and the lack of funding, but Spivak did not address this in his memo.

⁶³ *Ibid.*

police, respectively. While the commissioners could not get into specifics, the swirling rumors made it “a good idea to make yourselves available to reporters so that you can as candidly as possible set some of the untruths and half-truths at rest.”⁶⁴ With Spivak’s coaching advice in mind, Kerner and Lindsay stepped to the podium on January 10.

Media peppered the two commissioners with questions at the 23-minute press conference in Washington. When one reporter asked if the commission’s report would make the Johnson Administration uncomfortable, Kerner responded: “the report will be uncomfortable for the people of the United States...in some places it may even appear abrasive...to some people we won’t go far enough and others obviously will think we go too far.”⁶⁵ When pressed to elaborate on what would be uncomfortable, the Illinois governor mentioned the extent of American racism and other issues the commission could not “sweep under the rug.”⁶⁶ Another asked about accusations of a “whitewash” by former staffers and what motives they might have to make such a claim; Kerner denied this accusation, saying, “they may be upset that perhaps they are not still on the staff.”⁶⁷ Most staffers let go had advance notice their contract would expire at the end of December, he said. He also fielded a question as to whether the White House had seen the report and torpedoed it due to content or cost; “I don’t see how the White House could tell us to tone it down or tone it up; they haven’t seen it,” Kerner answered.⁶⁸ If any

⁶⁴ Spivak to Kerner, Lindsay, and Ginsburg, Jan. 9, 1968, “Press Conferences,” Box 3, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁵ Robert B. Semple, “Kerner Says U.S. Riots May Appear Abrasive to Some,” *The New York Times*, Jan. 11, 1968, 28; Otto Kerner and John Lindsay, Press Briefing, Jan. 10, 1968, “Press Releases and Transcripts,” Box 1, Series 15, LBJ Library, Austin, TX.

⁶⁶ Oswald Johnson, “Riot Panel is Preparing Hard Verdict,” *The Baltimore Sun*, Jan. 11, 1968, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁷ Kerner and Lindsay, Press Briefing, Jan. 10, 1968, “Press Releases and Transcripts,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁸ “Kerner Says Riot Study Won’t Be Whitewash,” *The Washington Star*, Jan. 10, 1968, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

staff members had discussed the report or its prescriptions with White House staff members in the fall, Kerner said, he was unaware of it. Staff members had spoken to the White House, he said, but those conversations were not related to any type of diagnosis offered by the commission.

The questions continued rapidly, with the commission chair fielding the majority. He expected a bipartisan report that built on existing programs while offering new suggestions. No, the suggested upgrades in existing programs were not an indictment of the White House, he said. Some suggested changes should have happened long ago. Asked for specifics, Kerner divided the recommendations into three categories: administrative changes in existing programs, a shift in funds already appropriated to encourage using money more efficiently, and new programs in the fields of housing, jobs, and education, respectively. No, there was no evidence of a conspiracy, he said. No, the commission would not persuade the president to include new programs in his budget. No, the commission had not completed its work—in fact it would be “working up until the last moment it’s completed” on specific programs, Kerner said.⁶⁹ The commission did not have plans to put costs on its recommendations, but Kerner acknowledged they would “cost money, there’s no doubt about that.”⁷⁰ One article noted that he seemed hesitant to even put a “massive” or “moderate” tag on the recommendations, suggesting at one point that “the commission may not recommend any single program, preferring instead to suggest a variety of different cures from which Congress, state legislatures, and other local governing bodies can freely pick and choose.”⁷¹ Johnson could also send programs

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*

⁷¹ Johnson, “Riot Panel Preparing Hard Verdict,” *The Baltimore Sun*, Jan. 11, 1968, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

to Congress later in the year based on the report, Kerner suggested. The commission refused to be goaded into offering specifics. He did note, however, that not all positive changes would come at a cost; a concerted effort at changing racial attitudes and ending segregation, for example, “would not cost a penny.”⁷²

Several reporters also wanted to hear from Lindsay—who stood to the side as Kerner answered most of the questions—given that Lindsay was the most outspoken member of the commission in calling for a full, honest portrait of America’s ills in the forthcoming report. A *Baltimore Sun* article noted his “vigorously nodding assent” when Kerner denied that any commissioner had spoken to the White House about the report.⁷³ When asked whether the presidential election or supposed “sensitive” findings might influence the commission’s direction, Lindsay responded: “No, I don’t think so... the commission has been guided by its increased understanding of the nature of the urban problems...what we have to do in describing the conditions of the cities of the nation...we would have to do under any circumstances.”⁷⁴ The vice chairman also bristled at a question that seemed to imply the “mountains of paperwork” and “hours of testimony” had perhaps not taught him anything new; “this has not been a waste of time,” he said, adding it was necessary due to the “very serious situation in our country.”⁷⁵ He also reiterated that the report would be “honest, realistic, and cause discomfort if necessary.”⁷⁶ It would be difficult, Lindsay admitted, to anticipate how anyone would receive the

⁷² Kerner and Lindsay, Press Briefing, Jan. 10, 1968, “Press Releases and Transcripts,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁷³ Johnson, “Riot Panel Preparing Hard Verdict,” *The Baltimore Sun*, Jan. 11, 1968, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁷⁴ Semple, “Kerner Says U.S. Riots May Appear Abrasive,” *The New York Times*, Jan. 11, 1968, 28.

⁷⁵ Johnson, “Riot Panel Preparing Hard Verdict,” *The Baltimore Sun*, Jan. 11, 1968, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁷⁶ “Riot Study Won’t Be Whitewash,” *The Washington Star*, Jan. 10, 1968, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

report. The press conference was ultimately labeled a progress report, one where Kerner “seemed to indicate that a key motive” for convening it was “to counteract rumors that the President was pressuring the group to tone down its message.”⁷⁷ Whether the press conference had convinced the general public was unclear, but Kerner and Lindsay had clearly accomplished their task of addressing the rumors mentioned by Spivak the previous day without getting into specifics. Neither man had managed to slip up and provide an incendiary quotation for the press, either, which had to be considered a victory for the commission.

Having survived the press conference without any missteps, Kerner, Lindsay, and their nine colleagues convened again on January 11 to discuss its long-term recommendations. “We’ve got to get off the dime here and move; deadline drawing near,” Herbert Jenkins had said as the meeting commenced.⁷⁸ Commissioners had spent the previous meeting projecting urban and suburban growth into the 1970s and how it would affect the economy as well as education and eliminating *de facto* segregation. Following discussions on employment and welfare, the meeting turned to the issue of open housing. William McCulloch and Tex Thornton both argued against involving open housing in the recommendations; “we’ll lose more than we’ll gain if we recommend open housing without exception,” McCulloch said, adding the recommendation would “bring down the political wrath of a nation.”⁷⁹ Kerner responded: “shouldn’t all who can afford it have a chance to buy a house they like...this is basic to integration...this is the trend of

⁷⁷ *Ibid.*

⁷⁸ Minutes of Kerner Commission Meeting, Jan. 11, 1968, “Minutes of Meetings of ACCD Staff,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

⁷⁹ *Ibid.*

nation, we must be at the forefront of the move.”⁸⁰ Roy Wilkins took things a step further, offering up his resignation from the commission if it did not recommend an open housing bill. “That’s so basically fundamental,” Wilkins told his peers, saying that when “you talk to Negroes fighting in Vietnam...the first thing they ask is that when they get home, will they be able to buy a house where they want?”⁸¹ Harris called it an essential and “basic” element of the commission’s report; Kerner agreed, reiterating: “this is the keystone of the report...we can recommend \$150 billion and it won’t do any good without this.”⁸²

Attention in the meeting shifted to the “thrust and tone” of the report. Vice Chairman Lindsay wanted it to touch on crime more, both in urban and suburban areas.⁸³ “If we don’t believe it now in January, we’ll believe it next August,” Lindsay told his peers, referring to the potential for more riots the following summer.⁸⁴ James Corman found the report too wordy, which affected the message, and said multiple writers made it sound uneven. “Get one writer going through the whole thing,” he said, praising Robert Conot’s sections in particular.⁸⁵ Wilkins agreed; “every 1000 words we drop is all to the good,” he said.⁸⁶ Commissioners lodged various specific complaints about the chapter drafts as well. Lindsay, in keeping with his harsh letter from days earlier, wanted a “more thorough description of life in the ghetto in this report.”⁸⁷ Wilkins saw a report that, to its

⁸⁰ Minutes of Kerner Commission Meeting, Jan. 11, 1968, “Minutes of Meetings of ACCD Staff,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

⁸¹ *Ibid.*

⁸² *Ibid.*

⁸³ *Ibid.*

⁸⁴ *Ibid.*

⁸⁵ *Ibid.*

⁸⁶ *Ibid.*

⁸⁷ Corman agreed, saying he would like to see “life in the ghetto described, maybe by a returning Negro veteran.” Minutes of Kerner Commission Meeting, Jan. 11, 1968, “Minutes of Meetings of ACCD Staff,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

own detriment, sought to narrow its focus rather than widen it. “Listen, if whites were treated like Negroes, they’d revolt tomorrow,” Wilkins said, arguing that African Americans have been “remarkably patient...these kids are crazy as hell but they shouldn’t be sold short—they’ve got a point.”⁸⁸ If concerns over the tone or its consistency continued, Ginsburg reminded commissioners that special assistants were available to review the draft report.

Lindsay spoke up at this point and said a way to address the issue of scope was through “priorities”—specifically, contrasting how much America spent on cities with money that went into the space program and obligations abroad. Kerner chimed in that he had “long felt that major cities have been neglected,” while Thornton pushed back that Americans “need a strong defense force to maintain a free world...we can’t say internal problems are top priorities over defense.”⁸⁹ Kerner responded by citing Lincoln’s own worry of “dangers from within.”⁹⁰ Lindsay piggybacked with the statistic that in the 1967 budget, \$60 billion went to the Department of Defense while just \$4.37 billion went to welfare and labor. Domestic security was a “national problem,” as “great as Vietnam,” Herbert Jenkins added.⁹¹ Thornton offered no reply, other than to pivot and say he wished to focus on jobs and education rather than housing.⁹² From here, the commissioners briefly discussed their next meeting, scheduled for January 18, and adjourned.

Rep. Corman, however, emerged from the latest round of meetings disgruntled. Just as he had three months prior, Corman penned a lengthy letter to Kerner expressing concern over the direction of the commission. “The potential for significant national

⁸⁸ *Ibid.*

⁸⁹ *Ibid.*

⁹⁰ *Ibid.*

⁹¹ *Ibid.*

⁹² Ginsburg, for his part, said that the report’s top priority should be jobs. *Ibid.*

service has virtually slipped from our grasp,” he told the chairman.⁹³ The commission’s responsibility was not to provide an “indiscriminate and unstudied attack on every problem of American society,” Corman wrote.⁹⁴ By overstepping its bounds, he feared the commission would be “unintentionally...adding fuel to the bonfire of unfulfilled promises.”⁹⁵ A clear-eyed assessment of the issues plaguing inner cities did not have to devolve into diagnoses that were not correct and recommendations that seemed destined to fail. Corman believed the commission needed to bring African Americans living in poverty into the “mainstream of social and economic life” by offering a renewed, accelerated commitment to existing institutions and resources; he was not convinced, six weeks from the report’s release, that the commission had made a “persuasive statement” on this matter.⁹⁶ Instead, staff presented “revolutionary” recommendations, “designed to be controversial,” that were unrealistic and did not seem to address the problems at hand.⁹⁷ “Most of the programs have not been sufficiently studied to merit our endorsement,” he said, adding he was “not prepared to state with certainty that a wide variety of detailed, experimental and, in some cases, plain silly programs are the proper direction for American government.”⁹⁸

As it stood, with funds and time dwindling, Corman believed the Kerner Commission had two options, both of which he considered “undesirable.”⁹⁹ It could either submit a report “acceptable to all commissioners” with “supplemental views of

⁹³ James Corman to Otto Kerner, Jan. 13, 1968, “Honorable James C. Corman,” Box 1, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

⁹⁴ *Ibid.*

⁹⁵ *Ibid.*

⁹⁶ *Ibid.*

⁹⁷ *Ibid.*

⁹⁸ *Ibid.*

⁹⁹ Corman to Kerner, Jan. 13, 1968, “Honorable James C. Corman,” Box 1, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

individual commissioners,” or it could release two reports—one on behalf of the majority, the other for the dissenting minority.¹⁰⁰ Corman preferred the first option. He concluded by complimenting the commission’s good intentions but lamented the “sudden zeal for unrealistic and unrealizable recommendations” that had “brought [the commission] to a crisis.”¹⁰¹ He called upon Kerner to reorient the commission and staff toward a report that offered plausible solutions within the stated framework. While Corman did not mention any commissioners or staffers by name, his animosity toward the more fervent staff members was clear. When commissioners like Lindsay did nothing to dispute this audacity—and, if anything, often praised it—it jeopardized the validity and long-term prospects of the bulk of the report.

Comments from the military on the commission’s public safety portions seemed to reflect Corman’s concerns. Under Secretary of the Army David McGiffert sent feedback on the public safety draft to Ginsburg; McGiffert told Ginsburg that “while agreeing in most of the substance of the report’s observations, the Army staff is of the view that perhaps the report has gone into too much detail...which, within the broad framework of the report’s observations, might be better left to professional military men.”¹⁰² McGiffert added that he shared the staff’s view that “this detailed approach tends to weaken the credibility of what is covered.”¹⁰³ Another document from January 13—from an organization called the Foundation for Volunteer Action—echoed doubts from Corman and others on the costs associated with bold and provocative

¹⁰⁰ *Ibid.*

¹⁰¹ *Ibid.*

¹⁰² David McGiffert to David Ginsburg, with attached comments on draft report regarding U.S. Army, Jan. 13, 1968, “DoD,” Box 3, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰³ McGiffert to Ginsburg, with attached comments on draft report regarding U.S. Army, Jan. 13, 1968, “DoD,” Box 3, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

recommendations. The Departments of Labor and HEW, respectively, had developed the idea for the foundation, and former HEW Secretary John Gardner had forwarded related comments to Joseph Califano to relay to the president. The letter called on Johnson to display “national leadership” in responding to the Kerner Commission preemptively.¹⁰⁴ This meant emphasizing that the commission’s response “cannot come in the form of costly programs...the response must be inexpensive...and it is clear that the response must come soon.”¹⁰⁵ Johnson needed to address the nation and clarify that the “best minds” in the executive branch contended that the solutions were “already found in existing legislation.”¹⁰⁶ The letter also recommended he express agreement with measures proposed on jobs, housing, education, and welfare while acknowledging the limitations. “If it were not for the budgetary constraints of the present time, he would be the first to urge broad expansion of existing programs,” the letter stated.¹⁰⁷ It was, however, “simply not realistic to expect, at this point in time, that vastly greater dollar resources can be made available.”¹⁰⁸

The president needed to emphasize those portions of the report that compelled individual Americans to do their part as well as the Administration’s own record in committing itself to rectifying domestic problems. Additionally, the foundation wanted to tap into the “rich vein of volunteer spirit in America” and “enlist those thousands of Americans who want to help in this great effort, but who are not sure where to turn.”¹⁰⁹

The letter gave details on its proposed organization, how it would mobilize in cities, and

¹⁰⁴ John Gardner to Joseph Califano, “Foundation for Volunteer Action,” Jan. 13, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹⁰⁵ *Ibid.*

¹⁰⁶ *Ibid.*

¹⁰⁷ *Ibid.*

¹⁰⁸ *Ibid.*

¹⁰⁹ Gardner to Califano, “Foundation for Volunteer Action,” Jan. 13, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

how it needed to act quickly following the president's proposed address to the nation to avoid the perception it was merely a "stopgap measure."¹¹⁰ The foundation would also hold a conference, inviting congressmen and scores of mayors to attend, to discuss how individual communities could augment the volunteer effort. A national figure could chair the conference, and President Johnson could be the concluding speaker and restate the goals. Instead of framing it as a massive federal program, Johnson could characterize it as a chance for millions of Americans to perform their civic duty. The Foundation for Volunteer Action might have a national reading month, dedicated to reading famous American documents like the Declaration of Independence and Gettysburg Address.

The letter's proactive vision for volunteerism in America was as calculating as it was optimistic. By announcing the foundation's creation prior to the report, President Johnson could offer Americans a solution that undermined the prospect of rampant additional spending. Ideally, the foundation could be the vanguard for civic participation in Johnson's second term, a federal program disguised as a massive volunteer effort that could complement the broad range of Great Society programs already in place. Pivoting the conversation before the public read a word of the commission's report might allow the White House to have the upper hand if Kerner and his colleagues did call for billions and billions in new programs. Gardner did not offer an explanation on why two cabinet-level departments felt compelled to offer the proposal, but they clearly agreed with those in Washington who feared the consequences of an embattled president's commission making unattainable recommendations to him so publicly. Those who did favor massive spending, on the other hand, would likely view the proposal as an attempt to elude the real financial groundwork necessary to solve the problems. The Foundation for Volunteer

¹¹⁰ *Ibid.*

Action would not be penniless—its letter did propose small grants to cities—but the figures paled in comparison to some of the figures and ideas discussed by commissioners. Only with such groundwork could the visions set forth on jobs, housing, education, welfare, and other matters come to fruition; charting the same course with reheated measures and civic bromides was, in the minds of the ambitious staffers and commissioners like John Lindsay, a do-nothing approach. Like McGiffert's letter, the Foundation for Volunteer Action letter reinforced two concerns Corman had expressed to Kerner from January 13: that the commission's suggestions might be both uninformed and unrealistic.

A letter sent by a White House staffer made Corman's contentions more explicit. Irving Sprague wrote to Harold "Barefoot" Sanders, who was Legislative Counsel to the President, informing him that Corman had telephoned to offer some observations on the Kerner Commission. In addition to enclosing the letter Corman had sent to Kerner, Sprague told Sanders that "John Lindsay has taken effective control of the commission," according to Corman, proposing a \$40-50 billion program that would allow expenditures on cities to match those devoted to the Vietnam War and the space program.¹¹¹ Sprague noted it was the "same thing Nixon is saying" and that Corman, Thornton, Peden, and McCulloch planned to draft and sign a dissenting minority report.¹¹² Proposals might also include "far out" racial quotas in schools, in the workplace, and in neighborhoods, Sprague said.¹¹³ In a January 15 letter to Kerner, McGrath also questioned Lindsay's

¹¹¹ Irving Sprague to Harold Sanders, "RE: Corman," Jan. 15, 1968, John Gardner to Joseph Califano, "Foundation for Volunteer Action," Jan. 13, 1968, "1/1/68-1/25/68," Box 386, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹¹² Sprague to Sanders, "RE: Corman," Jan. 15, 1968, John Gardner to Joseph Califano, "Foundation for Volunteer Action," Jan. 13, 1968, "1/1/68-1/25/68," Box 386, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹¹³ *Ibid.*

motives. “One disturbing element came to light at the close of the day Friday,” McGrath told his boss.¹¹⁴ “Rumors are going around that Mayor Lindsay has been telephoning and otherwise lobbying some of the other Commissioners prior to their meetings in Washington in an effort to line up their support on certain proposals which the commission must decide,” he added.¹¹⁵ It was a damning accusation; that the White House held Lindsay in contempt was hardly a secret, but the New York mayor had remained cordial with commissioners and staff. Covert attempts by Lindsay to sway votes in his favor were not, according to McGrath, a surprise, but it was “disturbing that if, through that, he should break the faith with you in an effort to enter a meeting with a majority of the votes in his pocket,” McGrath wrote to Kerner. McGrath conceded he had not substantiated the rumors that Lindsay had contacted commissioners, but he wanted the chairman to know that they did exist.

Kerner and Lindsay did not agree on all commission matters, but neither their interactions in commission meetings nor their joint press conference five days earlier indicated anything was amiss between them. Rumors that Lindsay had quietly tried to flip his peers on a number of issues before a series of pivotal meetings posed a threat to the working relationship of the Kerner Commission’s top two officials. The commission had already fended off numerous accusations and rumors about White House influence and the feasibility of its recommendations but had largely managed to avoid intra-commissioner squabbles. Any divisions—whether documented in the press or in memos exchanged—centered on idealistic staffers and largely pragmatic commissioners; beyond the disagreements behind closed doors, there had been little animosity among

¹¹⁴ Kyran McGrath to Otto Kerner, Jan. 15, 1968, “Official Correspondence,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

¹¹⁵ *Ibid.*

commissioners themselves. With bulky chapters churned out and the final product in the offing, however, the memos from Corman and McGrath indicated significant internal strife among commissioners and what they envisioned for March 1. McGrath also expressed frustration to Kerner at Ginsburg's decision to have Jack Rosenthal, a former member of the White House staff, "provide the editing and unifying talents that Corman and others had hoped Bob Conot would supply."¹¹⁶ Conot was a reliable, external voice for unifying the tone of the report, particularly the sections on history. Ginsburg had instead chosen a White House insider. "I don't know if this will come up Thursday or not, but at least it is indicative of the unresponsive attitude in the front office," McGrath wrote to Kerner.¹¹⁷ Frustration with a senior staffer like Ginsburg over commissioner preferences, even if stated in private, served as more evidence of dysfunction and frayed relationships within commission ranks.

With questions about Lindsay's alleged power play swirling, another article surfaced documenting a commission "deeply split" on recommendations, specifically funding. On one side were Lindsay, Abel, Brooke, Corman, and a number of staffers.¹¹⁸ As with reports from the previous month, the staffers were described as young, radical, and of the belief that "a massive federal expenditure in the neighborhood of \$4 billion a year is needed to bring racial peace to the larger cities."¹¹⁹ This "side," wrote Paul Scott of the Long Island Press, favored civilian police review boards, among other mechanisms

¹¹⁶ McGrath to Kerner, Jan. 15, 1968, "Official Correspondence," Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

¹¹⁷ *Ibid.*

¹¹⁸ Given Corman's private reservations on overpromising in his letter to Kerner, the California congressman's "side," as stated in this article, is a bit surprising. Paul Scott, "Civil Disorder Remedies Up to LBJ," *Long Island Press*, Jan. 15, 1968, "Reaction: Pre-Report," Box 5, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹⁹ Scott, "Civil Disorder Remedies," *Long Island Press*, Jan. 15, 1968, "Reaction: Pre-Report," Box 5, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

designed to hold police departments more accountable. The opposing group backed a program to allocate \$1 billion a year; it consisted of Kerner, McCulloch, Peden, and government officials like Cyrus Vance and Ramsey Clark. Scott described this group as “deeply concerned about the prospects of renewed rioting this spring” while remaining aware of the “political limitations that President Johnson faces Congress” that necessitated a “practical approach.”¹²⁰ The “Kerner group,” as the article described them, preferred “building on existing programs rather than introducing new approaches.”¹²¹ Division among commissioners had reportedly reached the point that members had mulled asking for assistance, perhaps even from the White House, in order to find a compromise. Commissioners had initially dismissed talk of outside agitators in the riots, though Scott noted “new evidence has caused several to change their opinion in recent weeks.”¹²² He contrasted this with Sen. John McClellan’s commission, with its clear agenda in tracing conspiracy, and even editorialized that McClellan’s investigators had “been doing a much more thorough job than those of the President’s commission.”¹²³

While commissioners spent much of the month poring over chapter drafts, staff members continued editing and considering their audience. Ginsburg sent a memo summarizing a January 16 meeting of high-ranking staff members that focused on fundamental questions the staff needed to consider about its audience. Ginsburg reported on his meetings with the commissioners and stated a goal of getting all material—three volumes worth—to commissioners by month’s end.¹²⁴ The first section would reportedly

¹²⁰ *Ibid.*

¹²¹ *Ibid.*

¹²² *Ibid.*

¹²³ *Ibid.*

¹²⁴ Ginsburg mentioned that Palmieri told colleagues in the staff meeting that “due to the typing pressures involved in redoing the complete draft of the report at least 2 if not 3 times more, all secretaries should be available to help when requested.” David Ginsburg to Kerner Commission Staff, “Minutes of Meeting of

delve into the “underlying causes” of the riots, the second section would be an exposition of “what actually happened” during the riots, and the third section would contain recommendations.¹²⁵ All depositions and witness profiles were complete and had been rechecked for accuracy. Among the questions posited were whether the report spoke “effectively to the average, unconcerned, middle-class white” and if it “focused too narrowly on Negroes alone.”¹²⁶ With the same officials scheduled to reconvene the following week, Ginsburg wanted them to consider if the report had an African American bias, whether it “considers the future enough,” and if it offered a workable path for white Americans to play a role in solving the problems.¹²⁷ Perhaps most importantly, the executive director asked: “do we inadvertently discuss the situation as ‘their’ problem that ‘we’ are trying to solve?”¹²⁸ As the staff mulled these questions, it continued to monitor the funding issue that might preclude it from working past the March 1 deadline. The decision remained on hold until February, which posed a dilemma: many staffers were proceeding as if the Kerner Commission would cease operations March 1, meaning they were already hunting for other jobs. John Koskinen suggested that Ginsburg and Palmieri “let the commission know” of this issue “so they won’t be irate.”¹²⁹ If the funds did arrive, commissioners would be “very likely to find that the bulk of the staff are no longer in position to stay.”¹³⁰

Dept. Heads, 1/16/68,” Jan. 17, 1968, “John Koskinen,” Box 3, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

¹²⁵ William Chapman, “Riot Panel Weighs Shift on Welfare,” *The Washington Post*, Jan. 28, 1968, A1.

¹²⁶ Ginsburg to Commission Staff, “Minutes of Meeting of Dept. Heads, 1/16/68,” Jan. 17, 1968, “John Koskinen,” Box 3, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

¹²⁷ *Ibid.*

¹²⁸ *Ibid.*

¹²⁹ John Koskinen to David Ginsburg and Victor Palmieri, “Decision as to Staffing Needs Beyond March 1,” Jan. 17, 1968, “John Koskinen,” Box 3, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

¹³⁰ *Ibid.*

As feedback on chapter drafts trickled in, Kerner Commission staffers found that consultants were often as scathing in their feedback as some of the commissioners. Consultant Royce Lowry, a member of the Bureau of the Budget, responded to a section on program recommendations for employment, welfare, housing, and education, among other subjects. Writing to Victor Palmieri, Lowry said the draft took an “unselective, superficial, shopping basket approach” and was riddled with “superfluous detail” that added little to achieving the commission’s prime objectives.¹³¹ Beyond the “ambiguous position which the authors have toward Negroes and their role in American society”—Lowry asserted that the paper vacillated between welcoming African Americans into “meaningful participation” in democracy and wondering if they were capable of doing so—the authors needed to consider the consequences of their recommendations.¹³² He saw a “casual disregard of the implications of these proposals” that parroted Corman’s concerns over reckless promises.¹³³ The “pitfalls in detail on almost every page” ran the risk of “a very serious loss in credibility for the Commission and its work.”¹³⁴

Another staffer offered criticism even more withering, writing to Ginsburg that most chapter drafts were “a compilation of facts” rather than an “analysis” that “obscures more than it reveals...the richness of the qualitative information, which could give the

¹³¹ Royce Lowry to Victor Palmieri, “Preliminary Program Recommendations Concerning Jobs and Employment, Welfare and Income Maintenance, Housing and Education,” Jan. 17, 1968, “Critical Comments on Drafts,” Box 3, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹³² *Ibid.*

¹³³ Lowry to Palmieri, “Preliminary Program Recommendations,” Jan. 17, 1968, “Critical Comments on Drafts,” Box 3, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹³⁴ *Ibid.* Alice Rivlin, a Deputy Assistant Secretary for Program Analysis in HEW, lodged similar complaints about the drafts, telling David Ginsburg that the education section contained too many recommendations and lacked a basic philosophy. Alice Rivlin to David Ginsburg, 1/17/68, “HEW,” Box 4, Series 46, NACCD, RG 282, LBJ Library, Austin, TX. Another staffer said of the “Administration of Justice” chapter draft: “While most of what is said is good and useful and helpful, it is often naïve, largely negative, and its language is frequently abrasive. If it is published in its present form, I think it will cause an explosion in the police world and feel it may do more harm than good.” Warren Christopher to David Ginsburg, with attached comments from staff on report drafts, Jan. 29, 1968; Jan. 24, 1968, “Warren Christopher,” Box 2, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

facts meaning, is ignored.”¹³⁵ The final result was a “flatness and lack of significance only occasionally relieved by a well-framed and relevant question competently handled.”¹³⁶ Alvin Spivak had concerns about the report’s reception internationally. “Imagine Radio Moscow, right now, [reading that] America is moving toward apartheid,” he wrote in provided feedback.¹³⁷ “How do USIA and the Voice of America handle the text of a summary that starts that way?” he asked.¹³⁸ Spivak also raised issues with advertising the fact that commission had called black militants as witnesses (he suggested phrasing it as “black moderates and militants”) and the “dreadfully one-sided” riot profiles submitted.¹³⁹ “Reading them, our summary clearly establishes that the riots were the work of the police and the National Guard, and those poor, deprived ghetto people we’re trying to help out really didn’t commit much mayhem at all,” he wrote.¹⁴⁰ Spivak wanted the commission to state clearly how America had failed many of its poor, black citizens, but not at the expense of the truth—that some of those involved in riots had to be held accountable for their violent behavior.

¹³⁵ Assistant Deputy Director for Research to David Ginsburg, “Critique of Chapter 2, from 12/19/67 draft, prepared by Operations Department,” Jan. 10, 1968, “Critical Comments on Drafts,” Box 3, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹³⁶ *Ibid.*

¹³⁷ Alvin Spivak, “Comments on Commission Draft Report,” Jan. 23, 1968, “Critical Comments on Drafts,” Box 3, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹³⁸ *Ibid.* Incidentally, Ginsburg received a memo from John Reid of the USIA three days after Spivak questioned how the agency would respond to some of the report’s text. Reid reminded Ginsburg that while foreign service officers typically explained American social dynamics to their colleagues abroad, on occasion those officers spent so much time offshore that it was “difficult for them to follow in depth the rapid changes taking place in our society.” Among those “rapid changes” were, as Reid phrased it, “urban minority group problems.” The USIA had arranged for officers on home leave to participate in a series of seminars to enlighten them on such trends and changes, and wished for Ginsburg to attend as a speaker. The first seminar was schedule for February 29 in Washington, D.C. Reid told Ginsburg that “the meeting is not open to the press and you would be able to speak with entire frankness.” John Reid, United States Information Agency to David Ginsburg, Jan. 26, 1968, “Correspondence: General,” Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹³⁹ Spivak, “Comments on Draft Report,” Jan. 23, 1968, “Critical Comments on Drafts,” Box 3, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴⁰ *Ibid.*

On January 18 commissioners began a round of meetings on long-term programs.¹⁴¹ Roy Wilkins, who had cautioned against fighting integration in the first meeting by saying it was “strewing seeds of 1975 and 1980 riots,” debated James Corman the following day on the relationship between poverty and racism and how each influenced education in America.¹⁴² Corman viewed racism as *the* issue, telling his colleagues, “I hope this report won’t dwell on details of how to reduce poverty or improve education...Stress racism.”¹⁴³ Wilkins disagreed. “We can’t separate these ills from racism,” he said, adding that the commission could not be “soft” on the shortcomings of school systems.”¹⁴⁴ When Corman responded that there were “a lot of whites living on less than \$3000 per year who didn’t throw fire bombs” and called for a “need to stress racism” and separate it from poverty, Wilkins again voiced his disagreement, and Lindsay intervened.¹⁴⁵ “You can’t live with this problem without coming back to housing, jobs, and education,” the vice chairman said.¹⁴⁶ “But the reason he can’t get good housing, jobs, and education is because he’s Negro,” Corman

¹⁴¹ One commissioner absent for this round of meetings was Edward Brooke, who was on a 12-nation “fact-finding” mission in Africa. On his tour, Brooke condemned South Africa and Rhodesia for segregationist policies, but he also criticized rioters back home, saying that “black power” was just as threatening as “white power.” UPI Press Release 110, Jan. 20, 1968. Prior to his trip, Brooke had expressed doubt as to whether Congress could pass additional civil rights measures swiftly. “I haven’t seen the drive in Congress to lead the people,” he said. United Press International Press Release 105, Jan. 11, 1968, “Reaction: Pre-Report,” Box 5, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴² Minutes of Kerner Commission Meeting, “Meeting of Commissioners on Long Term Programs,” Jan. 19, 1968, “Minutes of Meetings of ACCD Staff,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.. The January 18 meeting featured an exchange where Wilkins teased I.W. Abel, saying he was “still sore because he didn’t buy some of Thornton’s stock 26 years ago. If he had he’d be as conservative as Tex is now.” When Thornton defended himself and responded that the business community “calls me a liberal,” Wilkins fired back: “they’ll call you a communist for being on this commission.” Abel, with the last word, said: “that’s nothing compared to what they’ll call you when this report comes out.”

¹⁴³ *Ibid.*

¹⁴⁴ Minutes of Kerner Commission Meeting, “Meeting of Commissioners on Long Term Programs,” Jan. 19, 1968, “Minutes of Meetings of ACCD Staff,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL..

¹⁴⁵ *Ibid.*

¹⁴⁶ *Ibid.*

replied.¹⁴⁷ Wilkins interjected, saying the commission “can’t just repeat, ‘erase all prejudice and we’ll solve the problem’...we need more wide-ranging changes than in the past. We have got to recommend something.”¹⁴⁸ As an example of the recommendations he believed strayed from the commission’s original intent, Corman said he was not interested in addressing the minimum wage when it had nothing to do with riots. “If you don’t think struggling to get to 90 cents per hour by Negroes doesn’t lead to riots, you’re being naïve,” Wilkins said in retort.¹⁴⁹

Commissioners also discussed the media chapter draft, with Katherine Peden and Tex Thornton continuing their crusade to levy harsher criticism against outlets who had covered rioting. All forms of media were complicit in biased, misleading coverage, according to the duo.¹⁵⁰ When Ginsburg told Thornton that research and facts did not show any evidence faulting the media, Thornton asked, “Why are they in a better position to say no TV abuse than us?”¹⁵¹ He denounced the lack of “balanced news coverage” and focus on “the extremes to give a false understanding of ghetto residents.”¹⁵² Thornton

¹⁴⁷ *Ibid.*

¹⁴⁸ *Ibid.*

¹⁴⁹ *Ibid.*. A *Reader’s Digest* profile in January 1968 spoke glowingly of Wilkins, a tall, graceful man whom they branded as “Mr. Civil Rights” and who looked “even on the hottest days as if he had just stepped from an air-conditioned show window.” The feature praised Wilkins for his tireless work ethic—he worked 12-hour days and traveled over 100,000 miles a year at age 66—and quoted him describing Black Power as “a reverse Ku Klux Klan.” Over his career, Wilkins had “made more than a thousand speeches, testified before scores of Congressional committees, participated in picket lines, and had entrée to the White House under the administration of the last three presidents.” Irwin Ross, “Roy Wilkins—Mr. Civil Rights,” *Reader’s Digest*, January 1968, 87, “Organizations,” Box 3, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵⁰ Said one editor of the media climate in January 1968: “Frankly, I think the press and television are not doing a much more intelligent job of handling the demagogues and incendiaries in the racial field than we did in handling Senator McCarthy 15 years ago.” A.H. Raskin, “Our News Presentation Needs Sounder Balance,” *The Bulletin of the American Society of Newspaper Editors*, January 1968, 14, “Communications,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵¹ This was not, of course, the first time Thornton had questioned the validity of the research staff’s findings when those findings did not jibe with his worldview. “Comments by Commissioners on Media Chapter Draft of Commission Report,” Jan. 19, 1968, “Notes of Commission Meetings, January,” Box 8, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵² *Ibid.*

continued: “it is unbelievable that TV deserves a clean bill of health...[they] must have the audio part of TV newscasts.”¹⁵³ Newark and Detroit, he claimed, would have “been quickly contained,” had stations “blackened out news.”¹⁵⁴ Cameras did not even need to be in the ghetto when riots broke out, Thornton argued; it could only have dire consequences.¹⁵⁵ Peden had similar critiques for print, telling commissioners that “newspapers, in many whites’ minds, are one of two principal causes of riots.”¹⁵⁶ If the “manner in which media covered” riots did not receive extended attention, she said, the commission risked “heavy criticism.”¹⁵⁷ Abel agreed with both, saying that the press “tries to make a monkey out of everyone.”¹⁵⁸ Kerner and Lindsay stressed a need for balance in coverage as well, but had praise for most outlets rather than blame. Lindsay cited the “good deal of restraint” shown on television and said that while newspapers tended to be “worse than TV,” even they were “pretty good” with handling riots.¹⁵⁹ Wilkins bemoaned riot coverage, but for different reasons, saying that it “reflects failures to inform whites about goals and desires and problems of Negroes.”¹⁶⁰ Lindsay assured his colleagues that the commission did not want to “keep patting [the media] on the back,” but some were unconvinced.¹⁶¹ The minutes show “several” commissioners

¹⁵³ *Ibid.*

¹⁵⁴ *Ibid.*

¹⁵⁵ Peden argued before commissioners that “TV’s omnipresence in households brings white wealth constantly before Negro eyes,” which made ghetto residents more susceptible to rioting. *Ibid.*

¹⁵⁶ *Ibid.*

¹⁵⁷ *Ibid.*

¹⁵⁸ *Ibid.*

¹⁵⁹ “Comments on Media Chapter Draft of Commission Report,” Jan. 19, 1968, “Notes of Commission Meetings, January,” Box 8, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁶⁰ *Ibid.*

¹⁶¹ *Ibid.*

replied: “the draft appears to be trying to bend over backwards to be kind to the press...don’t bother.”¹⁶²

Discussion of the public safety sections of the report also resumed. Thornton complimented the staff for an improved draft from the one submitted earlier in the month, but he still thought the chapter had “an implication that police are bad...they have a tremendous burden.”¹⁶³ He repeated the assertion that a few bad officers did not mean the commission needed to “take a paint brush here and kick all the police in the mouths.”¹⁶⁴ Beyond his evergreen complaints and mixed metaphors, commissioners discussed the costs of programs aimed at improving law enforcement infrastructure; Ginsburg told his colleagues that the Department of Justice had worked on legislation, and there was also speculation that the Safe Streets Act, yet to be enacted, might help with some of the funding questions. Lindsay voiced support for federal funding and local appropriation, arguing that if states had access to the money, cities would never see it. Also up for discussion were the types of weapons police might have in their arsenals going forward. Palmieri noted that some arms manufacturers had pressured local police forces to upgrade and “buy these weapons of mass destruction,” prompting a discussion over whether such weapons were necessary in riot conditions.¹⁶⁵ Staffer Arnold Sagalyn asserted that assault weapons “in any hands but highly trained police, with the tension of a riot,” could yield a “horrendous result.”¹⁶⁶ He encountered little resistance; Corman said even a trained machine gunner could not distinguish between an innocent civilian and a “bank robber,”

¹⁶² *Ibid.*

¹⁶³ Kyran McGrath, Notes on Kerner Commission Meeting, “Public Safety,” Jan. 20, 1968, “Minutes of Meetings of ACCD Staff,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

¹⁶⁴ *Ibid.*

¹⁶⁵ McGrath, Notes Commission Meeting, “Public Safety,” Jan. 20, 1968, “Minutes of Meetings of ACCD Staff,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

¹⁶⁶ *Ibid.*

while Lindsay said, “once you turn loose police with weapons of mass destruction, you’ll have innocent mothers and children lying all over the streets with pools of blood.”¹⁶⁷ That unsettling visual truncated weaponry as a topic of discussion. Commissioners then discussed the potential for interstate compacts—the right to deploy National Guardsmen across states lines. Attorney General Ramsey Clark had already opposed it, and Lindsay told the group it “gives me the shudders.” What if quick action were necessary, Kerner asked. “The thought of Lester Maddox, my governor, calling on Lurleen Wallace to send in her troops scares me more than the rioters,” Jenkins quipped.¹⁶⁸ What if Guardsmen refused to cross state lines? Kerner said he would have them court-martialed, while McCulloch said he would support the right of refusal.

In the January 20 meeting, commissioners also discussed the undeniable fact that “police harassment does exist.”¹⁶⁹ Staffer Bill Bower said of police brutality that the research team’s “investigations show these are fact,” and that in 23 cities they found substantial evidence of “harassment by police.”¹⁷⁰ John Lindsay agreed, but he added that the report needed to “hammer away that police can’t do it alone.”¹⁷¹ The officer “had placed on his shoulders all the ills of society” and needed help from white and black communities.¹⁷² When Ramsey Clark spoke publicly on riot prevention on the same day, the burden of law enforcement served as the cornerstone of his remarks. The year 1968,

¹⁶⁷ *Ibid.*

¹⁶⁸ Maddox and Wallace, governors of Georgia and Alabama, descended from rabidly segregationist traditions that conflicted with Jenkins’ own beliefs. Lurleen Wallace, wife of firebrand George Wallace, took office after her husband found a loophole that enabled her to run after he had reached his term limit. Maddox’s claim to fame was an incident where, wielding a hatchet, he had chased African American customers out of the Atlanta restaurant he owned and operated. *Ibid.*

¹⁶⁹ *Ibid.*

¹⁷⁰ McGrath, Notes Commission Meeting, “Public Safety,” Jan. 20, 1968, “Minutes of Meetings of ACCD Staff,” Box 1392, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

¹⁷¹ *Ibid.*

¹⁷² *Ibid.*

he claimed, would be the year of the policeman; they would “tell more about the future of this country than will any other person in our society because this is a critical year.”¹⁷³

How police responded would have long-term ramifications for law and order in America.

The policeman was “a man on a tightrope,” forced to find the middle ground between leniency and repression, either of which risked bloodshed.¹⁷⁴ Clark continued that officers needed to “reach the unreachable ... communicate with people who don’t want to communicate...people who want to provoke you and who win if they succeed.”¹⁷⁵

Furthermore, as Lindsay had mentioned to commissioners, peaceful police-community relations depended on more than just those in uniform. “We can’t expect one man in blue with a stick to control a youth who was not under control at home, in church, in school,” Clark said, adding “we cannot control a permissive society by force.”¹⁷⁶ Public officials recognized the unenviable task that police departments faced going forward, and while they needed to confront it directly, they also wished to remind the public that police-community relations required a joint peacekeeping effort.

On January 24, President Johnson delivered a special message to Congress related to prospective civil rights legislation. Exactly one week before, Johnson had given his 1968 State of the Union; while he was interrupted 53 times total in that address, the only “prolonged, spontaneous ovation” the big Texan received was when he declared that Americans “have had enough of rising crime and lawlessness in this country.”¹⁷⁷ When he had mentioned “vital” civil rights laws to Congress, his pleas were met with “total

¹⁷³ Ramsey Clark, Remarks at Conference on Prevention and Control of Civil Disorder, Jan. 20, 1968, “Warren Christopher,” Box 2, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁷⁴ *Ibid.*

¹⁷⁵ *Ibid.*

¹⁷⁶ *Ibid.*

¹⁷⁷ “The Nation: The Cities,” *Time*, Jan. 26, 1968, 11, “Crime,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

silence” by the joint session.¹⁷⁸ *Time* noted this silence stood in stark contrast to the applause received a dozen times when he spoke of curbing crime. Johnson told Congress that the federal government “can and should help the states and cities in their war on crime, and this we shall do,” and spoke of “no more urgent” priority than passing the Safe Streets Act.¹⁷⁹ A week later, he reiterated to Congress the need to augment the breadth of civil rights laws. As America grappled with civil rights, he told legislators, Johnson realized that the “position of minorities in American society is defined not merely by law, but by social, educational, and economic conditions.”¹⁸⁰ He came armed with statistics as well. Income for nonwhite families had doubled over the past seven years. The unemployment rate had fallen from 10.8 percent to 7.4 percent between 1963 and 1967. Over one-and-a-half million African Americans had registered to vote, more than double the number registered in 1965. More African Americans had won elections to political office.¹⁸¹ As with all presidents, Johnson was willing to restate the litany of positive developments that had happened on his watch.

But Johnson had not appeared simply to boast. Damning statistics and trends lingered. One in three nonwhite families lived in poverty. Unemployment rates for nonwhites were double rates for white Americans. In many neighborhoods, residential segregation and living conditions had worsened. “In the State of the Union message last week I spoke of a spirit of restlessness in our land,” he said, adding it was “more pronounced in race relations than in any other area of domestic concern.”¹⁸² He chastised

¹⁷⁸ *Ibid.*

¹⁷⁹ *Ibid.*, 12.

¹⁸⁰ President Lyndon B. Johnson, White House Message on Civil Rights to U.S. Congress, Jan. 24, 1968, “January 15-January 27,” Box 3, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁸¹ *Ibid.*

¹⁸² Johnson, Message on Civil Rights to Congress, Jan. 24, 1968, “January 15-January 27,” Box 3, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

extremists on both sides—those who “decry the awakening of new expectations in people who have found cause to hope” and those who “promote violence and force as an alternative to orderly change.”¹⁸³ Each extreme constituted slivers of a broader population, black and white, most of whom had “not lent their hearts or efforts to either form of extremism.”¹⁸⁴ He called on America to strive for “meaningful integration” through a combination of new and existing legislation.¹⁸⁵ Johnson alluded to efforts already in motion—the DOJ filing a record number of civil rights suits, including obtaining convictions in the deaths of three civil rights workers in Mississippi in 1964, HEW working with 2000 school districts to comply with the 1964 Civil Rights Act, and efforts by the Department of Defense to desegregate neighborhoods around military bases—as assuring measures that needed to continue and expand. The three major pieces of civil rights legislation in the previous decade were critical precedents, “in education, in health...in the war against poverty,” but “critical work remains,” Johnson told legislators.¹⁸⁶

The president appealed for legislation that would strengthen federal laws “prohibiting violent interference with the exercise of civil rights,” especially in instances when activists attempted to integrate public spaces.¹⁸⁷ “Century-old criminal civil rights law,” he argued, was outdated and insufficient, failing to vest judges with the proper authority to punish those who committed “blatant acts of violence” against African

¹⁸² *Ibid.*

¹⁸³ *Ibid.*

¹⁸⁴ *Ibid.*

¹⁸⁵ *Ibid.*

¹⁸⁶ *Ibid.*

¹⁸⁷ Johnson, Message on Civil Rights to Congress, Jan. 24, 1968, “January 15-January 27,” Box 3, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

Americans.¹⁸⁸ A bill before the Senate Judiciary Committee would allow for harsher punishment for such crimes. Johnson also wanted to grant the Equal Employment Opportunity Commission (EEOC) the “authority it needs to carry out its vital responsibilities.”¹⁸⁹ He told Congress that the DOJ had taken on more than 150 cases of workplace discrimination against minorities and that the EEOC needed legal authority to intervene when necessary against culpable employers.¹⁹⁰ Elsewhere, the nation needed to confront housing discrimination; Johnson pointed to the Model Cities program and plans to build six million new housing units for low and middle-income families.¹⁹¹

In conclusion, the president sought to personalize the situation he brought before Congress. “For many members of minority groups, the past decade has brought meaningful advances,” Johnson said, but he also made clear that for “most minorities—locked in urban ghettos or rural areas—economic and social progress has come slowly.”¹⁹² Ensclosed in the president’s message of unfinished business was a reminder that while most marginalized groups were thought of in terms of “statistics, percentages, and trends,” the problems that persisted were problems of “individual human beings—of individual Americans.”¹⁹³ Housing discrimination meant that “the Negro veteran of Vietnam can’t live in an apartment which advertises vacancies,” while employment

¹⁸⁸ *Ibid.*

¹⁸⁹ *Ibid.*

¹⁹⁰ Johnson also referred to his \$2.1 billion manpower program, designed to reach 1.3 million Americans. He had addressed Congress the previous day with the details in an address titled, “To Earn a Living: The Right of Every American.” President Johnson to U.S. Congress, “To Earn a Living, the Right of Every American,” Jan. 23, 1968, “January 15-January 27,” Box 3, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁹¹ On the same day, Rep. Corman expressed doubt publicly that the nation would have a federal open housing law prior to the coming election. “Segregated housing is the bulwark of ghettoism which in turn is the source of most civil disorders,” Corman said. It was “imperative to break down the housing barriers.” UPI Press Release 142, Jan. 24, 1968, “Reaction: Pre-Report,” Box 5, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁹² Johnson, Message on Civil Rights to Congress, Jan. 24, 1968, “January 15-January 27,” Box 3, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁹³ *Ibid.*

figures failed to capture the plight of “the Puerto Rican father who cannot earn enough to feed his children.”¹⁹⁴ He concluded with a reminder that no one suffered from lawlessness more than “the majority of slum-dwellers” and a plea for Congress to enact “legislation fundamental to the human rights and dignity of every American.”¹⁹⁵ Notably, the president’s lengthy speech made no mention of the Kerner Commission, its timeline, or any of its potential recommendations.

In the press, Johnson’s comments on curbing street crime garnered more attention, both in his State of the Union address and to Congress a week later, than did his elongated plea to enact more civil rights legislation. *Time* speculated that “crime in streets” could be the top issue in the presidential election.¹⁹⁶ Vice President Humphrey conceded that another violent summer “could really sink us next fall.”¹⁹⁷ With fears that the violence could reach the suburbs, “concern over the Negro’s welfare has been largely replaced by consternation at the prospect of anarchy.”¹⁹⁸ *U.S. News & World Report* designated 1967 as the “worst year for racial strife in U.S. history,” reeling off statistics while referencing “talk of open racial warfare” and the notion that more groups had resorted to “violence or a show of force” to advance their cause.¹⁹⁹ *Newsweek* described police departments purchasing armored cars in anticipation of more rioting and ran a harrowing photograph of armed housewives at a gun range, their weapons pointed at the

¹⁹⁴ *Ibid.*

¹⁹⁵ *Ibid.*

¹⁹⁶ “The Nation,” *Time*, Jan. 26, 1968, 11, “Crime,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁹⁷ *Ibid.*

¹⁹⁸ “Era of Growing Strife in U.S.: When Will it End?” *U.S. News & World Report*, January 1968, “Crime,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁹⁹ “Era of Growing Strife in U.S.,” *U.S. News & World Report*, January 1968, “Crime,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

camera. Kansas City and Dearborn, Michigan, offered six-week courses in firearms training, and many suburban women had signed up.

In Miami, local police heightened their presence in ghettos to ward off local gangs; officers patrolled neighborhoods with shotguns and police dogs. While some ghetto residents welcomed the changes, saying they finally felt safe to leave their homes at night, critics said “get-tough” policies only invited more violence.²⁰⁰ One local African American minister said police “could justify machine guns and lions, if that’s what it took to wipe out crime in our streets.”²⁰¹ Weeks earlier, Daniel Watts, editor of *Liberator*, a black nationalist magazine, had written in *The Saturday Evening Post* that “white America has no reason to share the pie willingly” and that African Americans needed “a torch and a gun to get [their] slice.”²⁰² Watts lashed out at moderate black leaders and white liberal paternalism, saying that “not once have we been allowed to decide what we want.”²⁰³ He was tired of white Americans telling him that African Americans would “overcome as long as we don’t rock the boat,” and urged the more militant factions of black activism to respond.²⁰⁴ On the whole, America was an uneasy nation in 1968, dreading what the impending summer months might hold.

With the commission’s penultimate month drawing to a close, yet another story of internal discord leaked to the press. Writing in *The New York Times*, Vincent Burke reported that commissioners remained at an impasse over long-term recommendations. “The disputes center on proposals that would enlarge the government’s job-creating

²⁰⁰ “Where Terror is Cut by ‘Get-Tough’ Police,” *U.S. News & World Report*, Jan. 29, 1968, “Crime,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

²⁰¹ *Ibid.*

²⁰² Daniel Watts, “America Will Burn,” *The Saturday Evening Post*, Jan. 13, 1968, “Attitudes,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

²⁰³ *Ibid.*

²⁰⁴ Watts, “America Will Burn,” *The Saturday Evening Post*, Jan. 13, 1968, “Attitudes,” Box 1, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

responsibilities, revamp the welfare program, decentralize local school systems and transfer some governmental power from city hall to the ghetto,” Burke wrote.²⁰⁵ On the subject of school systems, those in favor of decentralizing school systems pointed to failed ghetto schools as evidence to provide “parents with greater power in running the system,” while those against believed it was not the commission’s duty to “recommend a radical transformation of the institution simply because it hasn’t worked well in the ghetto.”²⁰⁶ The commission also discussed a policy that would allow parents to “buy instruction outside the public school system,” a proposal that met fierce opposition amid fears that it would prompt well-to-do and talented students to “leave the public schools entirely” and leave the system with “the dregs.”²⁰⁷ With employment and welfare, commissioners reportedly differed—though the article offered few specifics on where specific members stood on the issues—on whether to reinvigorate existing programs or introduce new recommendations. *The Washington Post* reported that most commissioners “pretty much agreed that the present welfare system is a failure,” and that some favored a guaranteed annual income instead.²⁰⁸ Others supposedly preferred a system involving federal, state, and local governments contributing to payments; the federal share would be “drastically increased” to help poorer states “pay the higher minimums.”²⁰⁹

Burke also quoted several commissioners anonymously on the scope of the project. One interviewed said that the riot investigation was “simply unbelievable...it’s

²⁰⁵ Vincent Burke, “Riot Panel Disagrees on Solutions,” *The New York Times*, Jan. 28, 1968, “Reaction: Pre-Report,” Box 5, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²⁰⁶ *Ibid.*

²⁰⁷ Chapman, “Riot Panel Weighs Shift on Welfare,” *The Washington Post*, Jan. 28, 1968, A1.

²⁰⁸ Burke, “Riot Panel Disagrees on Solutions,” *The New York Times*, Jan. 28, 1968, “Reaction: Pre-Report,” Box 5, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²⁰⁹ *Ibid.*

like a foreign country of which the average American has no knowledge.”²¹⁰ The same commissioner told Burke that America “could start spending billions of dollars a year on the problem and we would still be working a generation from now.”²¹¹ Another commissioner offered a similarly pessimistic view; “sometimes I feel that we’re going through an exercise in futility,” the commissioner said.²¹² As the panel reportedly tussled over framing recommendations on jobs, welfare, education, and ghetto agency, Burke reported it “remains to be seen whether the split will be reflected in the commission’s report, or whether the members will manage to agree on compromise language that conceals their differences.”²¹³ Based on the minutes of commission meetings available, the friction described by Burke’s story was indeed accurate. Despite multiple warnings, someone at the commission table continued to feed guarded information to the press.

Spivak seethed over the latest development in a memo to Ginsburg and Palmieri. “I don’t know what more we can do to emphasize the need for security on the part of staff personnel and consultants,” he wrote to his colleagues.²¹⁴ Spivak noted that the journalist who recently ran a “reasonably accurate piece” about the commission in the *Washington Post* “told me he got his information from ‘someone other than a commission member.’”²¹⁵ The *Post* reporter also told Spivak that he “had talked to ‘three people in the last two days who told me they had seen all these volumes’ of the drafts, and that he got a glimmering of insight into the Media section from a ‘deputy managing editor of the

²¹⁰ *Ibid.*

²¹¹ *Ibid.*

²¹² *Ibid.*

²¹³ *Ibid.*

²¹⁴ Alvin Spivak to David Ginsburg and Victor Palmieri, Jan. 29, 1968, “Security,” Box 7, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²¹⁵ Spivak to Ginsburg and Palmieri, Jan. 29, 1968, “Security,” Box 7, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

Post who heard about it at a cocktail party.”²¹⁶ Commissioners and staff needed “another reminder,” though at that point, he said, “it ought not to be necessary.”²¹⁷ On the same day, Palmieri relayed the message to the staff; “recurrent items in the newspaper indicate that our security problem is growing,” he wrote.²¹⁸ Every leak, Palmieri told staffers, “can only detract from the chances of [the report] making a real impact.”²¹⁹ He concluded by saying he hoped “every member of the staff ‘will do everything in his power to keep the lid on and interrupt the stream of ‘revelations’ about the Commission and its work that are appearing in the papers.”²²⁰

As February approached, however, the biggest priorities remained revising the report in time for the March 1 deadline and extending commission funding past the release date. Spivak made reference to the commission’s time and funding dwindling in a memo to Ginsburg and Palmieri. He had contacted renowned filmmaker Charles Guggenheim about the possibility of making a documentary to promote the commission’s report. The commission would need about \$80,000 to produce a “powerful documentary,” which would take five or so months to complete.²²¹ Spivak noted much of the documentary footage would be black and white rather than the preferred color format, but said, “for the topic at hand this would be a better form of presentation anyway.”²²² All that commission brass needed, Spivak said, was “\$80,000 and 5 months.”²²³ For a panel beset by rumors and criticism from every possible angle, by an unnerving, often self-

²¹⁶ *Ibid.*

²¹⁷ *Ibid.*

²¹⁸ Victor Palmieri to Staff, Jan. 29, 1968, “Security,” Box 7, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²¹⁹ *Ibid.*

²²⁰ *Ibid.*

²²¹ Spivak to Ginsburg and Palmieri, “Documentary Film,” Jan. 25, 1968 “Film,” Box 2, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²²² *Ibid.*

²²³ *Ibid.*

inflicted pressure to mean all things to all people, some humor on the unattainable was in order. It was not clear, however, whether Spivak's remark was in earnest or in jest.

February 1968

Adrian Dove had a quiz for middle-class, white America, an aptitude test for those suburbanites with either a solemn interest in helping the marginalized or a willingness to launch into prescriptive tirades on how to fix American ghettos.¹ Did white America know what a “handkerchief head” was, in ghetto parlance?² What about a “gas head”?³ Was Bo Diddley a renowned singer, a camp for children, or a boxed wine available at the corner store?⁴ Who were the Dixie Hummingbirds—an arm of the Ku Klux Klan, a contemporary black gospel outfit, or a black paramilitary force headquartered in Mississippi?⁵ What was the opposite of a “square”?⁶

On February 15 *The Washington Post* printed this 21-question, “soul folk aptitude” test.⁷ Each multiple-choice question sought to confound the white majority readership; for every tongue-in-cheek wrong answer, there were a few, Dove surmised, that those unfamiliar with street terminology would struggle to choose between. He thus wished to nettle those living in quiet suburbs, to push them out of their cultural comfort zones and into a foreign lexicon to prove a point: black wisdom did not always sync with accepted white mindsets. Dove, a social worker from Los Angeles, declared “a score of 11 or less classifies you as an intellectual failure—a ghetto drop-out...it means that you

¹ “Attention Honkies: Are You Deprived?” *The Washington Post*, February 15, 1968, A24, “Newspaper Clippings Related to Commission,” Box 1, Series 15, Records of the National Advisory Commission on Civil Disorders, Record Group 282, Lyndon B. Johnson Presidential Library, Austin, Texas. Dove’s test later became known as the “Chitling Test,” on account of a question about the appropriate cooking time for chitlings.

² The *Post* printed an answer key at the bottom of the test. A “handkerchief head” was a pejorative synonymous with calling an African American an Uncle Tom. *Ibid.*

³ A “gas head” was, according to the test, a person who has “a habit of stealing cars.” *Ibid.*

⁴ Bo Diddley was a Chicago-based singer and blues guitarist and not in fact, a camp or type of wine. *Ibid.*

⁵ The Dixie Hummingbirds were an African American gospel group. *Ibid.*

⁶ The opposite of a “square” was a “hip.” *Ibid.*

⁷ *Ibid.*

are culturally deprived.”⁸ If the quiz stumped the average white *Washington Post* reader, perhaps that reader could sympathize with neglected residents of black ghettos, blamed for their own misfortunes, scorned for not excelling on tests “keyed to white, middle class cultural standards.”⁹ Whether or not test-takers knew precisely what a “hype” was—it was, in slang, a heroin addict—missed the point; white Americans were so accustomed to their values and worldview that they failed to recognize that many people of color trafficked in a different world, a world with which whites were deeply unfamiliar.¹⁰ Before offering well-intentioned assistance or a condescending lecture, white Americans needed a reminder that they did not know this world; to speak about it authoritatively was to speak out of turn.

As America experienced unprecedented economic growth through the 1960s, inner cities languished in isolation, with no stake in an abiding prosperity that, as the previous summer revealed, had harshly demarcated borders. The Kerner Commission, like much of America, knew about these borders. It knew how these borders had originated and how certain factions of white society wished for them to persist. With the report’s March 1 release date fast approaching, its job was to show the country how these borders, literal and metaphorical, had produced violence, how ignoring immutable truths about race in America would only produce more of the same in the years and months ahead. It was, as President Johnson had said at the outset, a tall order.¹¹

⁸ “Attention Honkies: Are You Deprived?” *The Washington Post*, February 15, 1968, A24, “Newspaper Clippings Related to Commission,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ A White House staffer suggested sending the commission’s forthcoming report to Swedish sociologist Gunnar Myrdal, who lived in Stockholm; Myrdal’s work on America’s racial issues had played an instrumental role in the *Brown v. Board* decision and earlier periods of the civil rights movement move broadly. He had written in 1944 that “America is continuously struggling for its soul,” and might find that, nearly a quarter century later, a fresh report indicated that not much had changed. John Dixon to Douglass

That did not mean, however, that the commission planned to take heed of black militant voices wholesale. In early February, Larry Still sent Victor Palmieri updated materials on CORE and SNCC, two civil rights organizations with moderate, interracial roots that had been overrun by militants by 1967. Still, who enclosed pamphlets and brochures with his letter, described CORE as having transformed from “an interracial organization to a predominantly black organization which once advocated non-violence to one which now defends the use of violence in seeking its goals.”¹² In tracing CORE’s inception in 1943 to its integral role in the 1961 Freedom Rides to its “Black Power position of today,” Still’s letter carried a tone of disappointment and suspicion.¹³ The forwarded materials “make no mention of Charles Oldham, a white St. Louis attorney who was the first national chairman of CORE,” nor did they track McKissick’s ascent to his position of power.¹⁴ Furthermore, the materials traced the “beatings, terror, and murder of CORE members (during the Mississippi summer of 1964 and before) under the nonviolent concept” to the organization’s current stance that could “no longer advocate such a policy today because of the continued lack of protection of civil rights workers by local, state and the federal government.”¹⁵ Still did not offer an opinion on CORE’s updated stance explicitly, but the letter’s overall tone clearly disapproved of the decision. While the commission did not dismiss black militant thinking wholly, officials were surely incredulous that CORE, an organization that had experienced lethal violence like few others in the civil rights struggle—that had buried some of its own followers along

Cater and David Ginsburg, Feb. 20, 1968, “1/26/68-2/27/68,” Box 387, FG 690, National Advisory Commission on Civil Disorders, White House Central Files, LBJ Library, Austin, TX.

¹² Larry Still to Victor Pamieri, “CORE Material,” Feb. 5, 1968, “SNCC,” Box 1, Series 11, NACCD, RG 282, LBJ Library, Austin, TX.

¹³ *Ibid.*

¹⁴ *Ibid.*

¹⁵ *Ibid.*

the way—would reverse course and refuse to condemn methods that bore consequences it knew all too well.

Still also noted that the commission had interviewed McKissick in New York City; in his on-the-record interview with Merle McCurdy, the CORE leader was quite forthcoming. He wished to expel white members from CORE due to their inability to relate to the lived experience of African Americans or the programs planned with that experience in mind. In his testimony, he also called for a session of Congress to “deal with this entire domestic problem.”¹⁶ The “problem,” as he saw it, ranged from the need for “post offices, department stores, banks, etc. located in black communities [to be] owned and operated by black people” to an earnest dialogue on how to address “vice in the ghetto.”¹⁷ Congress needed, McKissick said, to “listen to some black talk for a change.”¹⁸ The same applied to the Kerner Commission, which he reminded McCurdy had not one black militant voice at the highest level. As a result, McKissick had grave concerns about its ability “to make the necessary changes in the system.”¹⁹ America needed “people on the Commission who know what they’re doing...the commission should plot the role of the white people and what they have done to black people.”²⁰ If, instead, commissioners were interested in placing “blame on black people,” McKissick said, “then I am hell-bent against you.”²¹ He singled out liberal whites, whom he labeled as “among those who lack the necessary commitment about black people’s conditions....When CORE began to address itself to the ghetto problem, liberal whites

¹⁶ David Ginsburg to Commission, “Views of Negro Leaders, Militants, and Black Nationalists,” Feb. 21, 1968, “General Counsel,” Box 1, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ *Ibid.*

²¹ *Ibid.*

deserted, picked up their marbles and went home.”²² McKissick also offered no guarantees as to what the forthcoming summer might hold; it was possible, he said, that African Americans “might not decide to let the police shoot them down like cats and dogs.”²³ As he closed his deposition at the United States Court House in New York City, McKissick made one thing clear to McCurdy and his associate: “if I got to go, I ain’t going to march to no gas chamber.”²⁴

Still also passed along information on SNCC, a civil rights organization with a similar mild-to-malevolent trajectory—at least in the eyes of the commission officials—over the course of the decade. Unlike Floyd McKissick, SNCC leader Stokely Carmichael refused to hold an on-the-record meeting with the Kerner Commission—though he did agree to have his “views reflected to the commission” informally.²⁵ Materials sent to Palmieri indicated the events that had culminated in SNCC’s realization that it was “not possible to work within the present Democratic structure.”²⁶ Still wrote that the organization had “never accepted non-violence as a philosophy, but only as a technique...to deal with the realities of the civil rights struggle in the South.”²⁷ He continued that once the civil rights movement had turned northward into urban areas, SNCC believed there was “no need to preach non-violence as a technique or a philosophy

²² Ginsburg to Commission, “Views of Negro Leaders,” Feb. 21, 1968, “General Counsel,” Box 1, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ Larry Still to Victor Pamieri, “SNCC Material,” Feb. 6, 1968, “SNCC,” Box 1, Series 11, NACCD, RG 282, LBJ Library, Austin, TX. Among the events listed as influencing SNCC’s decision were the Mississippi Freedom Summer of 1964 and Democratic National Convention held the same year, the Selma march for voting rights in 1965, and the James Meredith march in Mississippi.

²⁷ This would seem to run counter to SNCC’s founding statement from 1960, in which it specifically espoused the benefits of nonviolence. *Ibid.*

to masses of embittered blacks.”²⁸ Violence was not advised; it was simply a consequence of the struggle for “black control of their own neighborhoods by any means necessary,” according to SNCC leaders.²⁹ Until white America acknowledged this struggle, there would be “no hope for the end of ‘black exploitation and oppression’ by racist whites within the present American system.”³⁰ SNCC permitted white activists to aid in their cause, but they had to do so on SNCC’s terms; if whites would listen instead of speaking with unearned, misguided authority, they reasoned, then there would be no violence. SNCC also likened its own struggle to the struggle of subjugated peoples around the world, citing both American Indians and the Vietnam War as “proof that U.S. will allow no force, great or small, to stand in the way of its materialistic goals.”³¹

In addition to tracking SNCC as an organization, the commission also tracked Carmichael individually. A message at the end of February from Herbert Jenkins to David Ginsburg featured an attached report filed by two African American detectives with the Atlanta Police Department. “I do not have words to express my appreciation for the most excellent service that you furnished the Commission and the nation,” Jenkins wrote in reference to the report’s release; after this gratitude came a detailed summary from the detectives on Carmichael’s movements in Atlanta on February 28.³² “We were called into the office today...for the purpose of working on a special assignment of locating Stokely Carmichael and to attend a meeting on the Morehouse Campus at Sage

²⁸ Still to Pamieri, “SNCC Material,” Feb. 6, 1968, “SNCC,” Box 1, Series 11, NACCD, RG 282, LBJ Library, Austin, TX.

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ *Ibid.*

³² Herbert Jenkins to David Ginsburg, Attached Letter from Atlanta Police Dept. Detectives to Lieutenant, Feb. 29, 1968, Feb. 28, 1968, “Honorable Fred R. Harris,” Box 1, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

Hall,” the detectives wrote.³³ After following him to a local restaurant, the detectives attended Carmichael’s speech on the Morehouse campus; it featured Carmichael’s usual impassioned rhetoric about black self-determination and the hypocrisy of the white power structure and broader American government. At one point, Carmichael told the crowd that for every African American victim of police brutality, there should be “ten dead hunkies” or “ten dead stinking cops.”³⁴ He traced the roots of socioeconomic struggles for African Americans to white pillaging and greed; at the conclusion, he “read a letter which he received from Rap Brown in jail expressing his views ‘that if he had to die in jail, this would be a worthy cause.’”³⁵

After he had spoken, Carmichael met with the Black Student Alliance at Morehouse—a meeting the detectives could not infiltrate—before going to the office of local activist Dr. Roy Bell. After one of Bell’s cars picked Carmichael up, the detectives tracked him to the airport and learned that he “traveled under an assumed name...A. Kuttati.”³⁶ The detectives concluded that he was bound for his home in Washington, D.C., and provided his address and the license plate for the car that transported him to the Atlanta airport. If the Kerner Commission had made it known that it did not take criticisms of its lack of a militant voice lightly, these concerns rang a bit hollow with revelations that one of the commissioners had assigned two of his men to track perhaps the most prominent black militant in America. Carmichael’s alarming rhetoric aside, the surveillance spoke to a disconnect that remained between established power structures and young black militants; those in power were willing to say what sounded conciliatory

³³ Jenkins to Ginsburg, Attached Letter from Atlanta Police, Feb. 29, 1968, Feb. 28, 1968, “Honorable Fred R. Harris,” Box 1, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

³⁴ *Ibid.*

³⁵ *Ibid.*

³⁶ *Ibid.*

and self-aware while simultaneously watching militants with considerable tenacity and zeal. There were no indications that other commissioners or staff beyond Ginsburg were aware of the memo from Jenkins on the report his detectives had filed.

Beyond the monitoring and subtle condemnation of black militancy, commissioner Roy Wilkins, who had a regular column, rebutted claims made in late January by Columbia sociologist Amital Etzioni that the Kerner Commission was “bound to fail because it had no black militants as members.”³⁷ Wilkins sarcastically chided Etzioni’s critique, saying that he and other members of the “black militant coterie” took exception to the commission because “it has no social scientists as members!”³⁸ He defended the commission’s membership, saying that “some have more practical experience in the field than many a social scientist.” Rather than focusing on the commission and its goals, Dr. Etzioni and his peers seemed more interested in harping on its shortcomings, on labeling it an ersatz gesture comprised of the wrong minds to address the problems. Wilkins put it more colorfully, saying that these critics wanted the commission’s findings “to be treated like a commodity—say a crate of tomatoes.”³⁹ They would observe this “crate of tomatoes,” the “color, size, firmness, and price” before loudly declaring it “falls short of being a crate of cantaloupes, and thus may create reverberations in Colorado, Michigan, and the Rio Grande Valley, to say nothing of the effect it might have on Israeli exports to Denmark.”⁴⁰

Quips aside, Wilkins believed Etzioni was both harsh and naïve, offering impractical solutions that made public officials scoff. He cited the sociologist calling for

³⁷ Roy Wilkins, “The Riot Inquiry,” Syndication, Feb. 10-11, 1968, “Honorable Roy Wilkins,” Box 2, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

³⁸ *Ibid.*

³⁹ *Ibid.*

⁴⁰ *Ibid.*

“all civilians, white and black, and the police [to] be disarmed.”⁴¹ How, Wilkins wondered aloud in his own column, Etzioni believed this might occur “in the face of rampant, rugged American individualism, plus the gun lobby, plus the crime industry” was not evident, but such an unrealistic proposal demonstrated that social scientists were often disconnected from hard-nosed, pragmatic political operations.⁴² Wilkins noted to his readers that early days of testimony in the Kerner Commission revealed the “bewildering, interlocking, monumental and frightening complexity of the ingredients of civil disorders sharpened by the race issue.” To expect an ephemeral commission “under the burden of [a] time bomb” to offer comprehensive solutions to “manifold problems wrapped up in old hatreds” was to misunderstand its purpose.⁴³ The commission had known from the outset, he said, “that it could not please everyone,” but that did not make its tireless work a futile exercise.⁴⁴ What Wilkins referred to as the “chorusing of ‘bound to fail’” risked obscuring a “deadly serious effort to meet a deadly serious crisis.”⁴⁵ If critiques of that effort were so withering that they invalidated it entirely, such critiques did nothing for solving the problems at the heart of the Kerner Commission. Wilkins had, to this point, offered an array of criticisms against black militants and leftists in general, but whereas many of those centered on those groups not speaking for all African Americans, this particular column depicted them as cynical and out of touch.

Lamenting the direction of civil rights organizations and pushing back against militants did not mean, however, that the commission had softened in its intention of

⁴¹ Wilkins, “The Riot Inquiry,” Feb. 10-11, 1968, “Honorable Roy Wilkins,” Box 2, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

⁴² *Ibid.*

⁴³ *Ibid.*

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

showing the extent and pervasive effects of American racism. A February 18 *New York Times* article noted that in “a small, first-floor room of the Capitol beneath the Senate chamber, 10 men and a woman have been putting the finishing touches on a document that will tell the people they are in deep trouble.”⁴⁶ The commission, according to journalist John Herbers, would tell the nation that conditions in inner cities were even worse than initially feared. On top of the host of recommendations on welfare, housing, education, law enforcement and a number of other subjects, the report would chronicle simmering hostilities, black and white, that only worsened racial tension.⁴⁷ Another article the following week in the *Times* reported the commission would cite “massive failure of the white majority, through prejudice and neglect, to deal justly with the Negro minority.”⁴⁸

Accordingly, a source within the commission told the *Times* the report would be “particularly harsh on whites, asserting that many who disclaim any prejudice toward Negroes do harbor prejudices sometimes unknown to themselves but easily detected by blacks.”⁴⁹ The Kerner Commission would also describe sniping during riots as mythical, police in many of the disorders as largely ignorant of the communities they patrolled and ill-equipped to handle riotous scenarios, and ghetto residents as understandably

⁴⁶ John Herbers, “Riot Study is Said to Express Alarm,” *The New York Times*, Feb. 18, 1968, 1.

⁴⁷ In a note to David Ginsburg dated February 8, Assistant Secretary of Health, Education, and Welfare William Gorham noted that the daunting number of recommendations contained within the draft of the Kerner report meant that “the dramatic impact of the Commission Report on some of the items which should receive immediate action is lost.” In a February 25 *New York Times* article in advance of the report’s release, the *Times* said the commission would advocate for decentralizing city governments and offering local communities more control over urban renewal programs. William Gorham to David Ginsburg, Feb. 8, 1968, “February 1-March 11,” Box 3, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

⁴⁸ “Johnson Unit Assails Whites in Negro Riots,” *The New York Times*, Feb. 25, 1968, 1.

⁴⁹ Herbers, “Riot Study,” *The New York Times*, Feb. 18, 1968, 1.

distrustful of those designated to protect and serve their neighborhoods.⁵⁰ These factors were among many that fostered a climate of mutual distrust in American ghettos: officers on edge in crime-ridden neighborhoods and residents afraid of police brutality with no accountability. The report would also recommend establishing a “nonprofit, nongovernment institute of urban communications to help close a chasm that the commission found between the mass news media and Negroes.”⁵¹ The blame was not so much on how the media reported on riots and chronicled American ghettos as it was on the lack of diversity in television and print journalism itself; hiring more African Americans to report news would abate the chances of white Americans seeing ghettos and their inhabitants exclusively as hopeless and vice-prone. Part of the burden, then, was on the African American moderates—not white politicians, not black militants—who spoke for the majority of black communities across the country. Said one anonymous commissioner: “it’s a hell of a job; all of us are completely worn out.”⁵² Another noted that “the race problem is the core” but posed the question: “What the hell do you do about racism? When you get down to it, what can you do really quickly?”⁵³

Commissioner Fred Harris expressed hope that the white majority would act when confronted with “the terrible conditions in which other Americans live and how this threatens society.”⁵⁴ Furthermore, the message delivered by a commission “composed chiefly of moderates,” the article noted, would ideally “stir more interest” in the issues at

⁵⁰ The commission would reportedly cite a “study of 100 deaths that occurred in three cities failed to disclose a death that could be clearly attributed to a sniper’s bullet.” “Johnson Unit Assails Whites in Negro Riots,” *The New York Times*, Feb. 25, 1968, 1.

⁵¹ *Ibid.*, 63.

⁵² *Ibid.*

⁵³ *Ibid.*

⁵⁴ Herbers, “Riot Study,” *The New York Times*, Feb. 18, 1968, 1.

hand.⁵⁵ Commissioners would acknowledge the costs of the recommendations while arguing that the “price of inaction” would “accelerate the trend toward two separate and hostile societies.”⁵⁶ The article also quoted Katherine Peden, who downplayed fears about the nation “sitting on a power keg” in 1968; in contrast, President Johnson had told a group of students visiting the White House on February 12: “I don’t think you can avert a bad summer. We’ll have a bad summer. We’ll have several bad summers.”⁵⁷ The commission had ultimately decided to shun cost concerns related to the budget and Vietnam War, according to the *Times*; Lindsay and Harris, both keenly aware of the political fallout tied to the commission and its findings, had emerged victorious with some of the panel’s more conservative members who “wanted to restrict the recommendations to programs that would have a reasonable chance of succeeding under present conditions.”⁵⁸ While the commission insisted it had reached a consensus in issuing its report, concern remained as to whether or not the findings or any additional measures could quell tensions.

As news of the commission’s probable findings began to leak, private citizens wrote to the commission and offered a variety of opinions on what they had heard. S.A. Barbour of Virginia wrote to Ginsburg claiming that “Mr. [Lyndon] Johnson must be told in your report that it is up to him to tell these unfortunate people that they must obey the law,” that more rioting would “get them nowhere but into trouble and further away from the things that might be done for them.”⁵⁹ Those complaining needed to get jobs, but the

⁵⁵ Herbers, “Riot Study,” *The New York Times*, Feb. 18, 1968, 1.

⁵⁶ “Johnson Unit Assails Whites in Negro Riots,” *The New York Times*, Feb. 25, 1968, 63.

⁵⁷ Herbers, “Riot Study,” *The New York Times*, Feb. 18, 1968, 1..

⁵⁸ *Ibid.*

⁵⁹ S.A. Barbour to David Ginsburg, Feb. 20, 1968, “B,” Box 2, Series 28, NACCD, RG 282, LBJ Library, Austin, TX. Another letter written to Kerner surmised that in the commission’s reported decision to fault the white majority, “I cannot help but feel that the Commission was directed by President Johnson to arrive

problem, according to this particular letter, was that “nobody seems to have the good sense to tell the Negro what he should do to become a good citizen.”⁶⁰ A report that coddled rioters and explained away their violent behavior would “do the greatest possible disservice to America and create more and more trouble.”⁶¹ Others wanted officials to determine who influenced rioters, intimating that Soviet Communists and lingering Cold War antipathy were to blame.⁶² Citizens like William Werber were less deliberate in their letters. Werber wrote to Kerner arguing that the “white man can’t hold a candle to the black man when it comes to Racism.” He continued that universities “are all supported by white people” and asked: “how could any group of intelligent and reasonable men feel that taxing productive people to maintain unproductive people in a perpetual state of indolence will solve any problems at all?”⁶³ Werber argued that the welfare state, over the course of 35 years, had failed, and that it had not fixed crime or any of the conditions that precipitated its creation in the first place. “Quite frankly, isn’t it gross stupidity to recommend more of the same?” he asked, adding, “the report isn’t going to solve problem one...all it will do is to sink this Nation deeper into the mud...I guarantee it.”⁶⁴

Floridian Haven Page told Kerner that while the commission “has been huddling over how to interpret months-old causes and effects, a shift has occurred in the concerns and slogans of the Negro leaders: they are moving toward a militant separate Black

at such a conclusion.” Paul Messenger to Otto Kerner, Feb. 27, 1968, “Reaction to Commission Report #1,” Box 1, Series 30, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁰ Barbour to Ginsburg, Feb. 20, 1968, “B,” Box 2, Series 28, NACCD, RG 282, LBJ Library, Austin, TX.

⁶¹ *Ibid.*

⁶² C.H. Guernsey of Oklahoma told Kerner: “I believe you will agree there is no use avoiding the idea of offending Russia since Russia is offending so vitally in Vietnam?” C.H. Guernsey to Otto Kerner, Feb. 23, 1968, “3/14/68-6/15/68,” Box 387, FG 690, National Advisory Commission on Civil Disorders, WHCF, LBJ Library, Austin, TX.

⁶³ William Werber to Otto Kerner, Feb. 26, 1968, “Reaction to Commission Report #1,” Box 1, Series 30, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁴ *Ibid.*

Society and away from integration.”⁶⁵ Page pointed to the “recent bloody outbursts at all-Negro colleges,” the “fumings and frustrations of Rap Brown,” and the “Carmichael-directed ‘dislocation’ pageant being staged by Martin Luther King Jr. in time for the Washington cherry blossom festival” as proof that the “black leaders don’t want hostility to diminish.”⁶⁶ Based on reports, Page concluded: “maybe your commission doesn’t either,” dismissing comparisons of American society to apartheid as “sheer gobbledegook...I’ll wager \$100 that no member of your Commission has first-hand knowledge of ‘apartheid’ and that you recorded no testimony on this subject.”⁶⁷

Not all letters were quite as harsh in assessing the leaks over the commission’s report. Californian Charles Holmquist wrote to President Johnson that he had “considerable sympathy” for African Americans and Mexican Americans “who really want to work hard to get ahead...I have helped individuals of these groups find jobs and a number of them worked their way out of the ghetto.”⁶⁸ His sympathy had waned, however; now that minorities wanted “things handed to them at gunpoint,” he said, his attitude was “one of complete indifference.”⁶⁹ Not all letters to those affiliated with the commission levied criticism, either; Arthur Wolfe, of Syracuse, New York, wrote to the president in praise of the commission. The report, he said, came at “a very critical time when Americans have the opportunity to make the U.S. a true Democracy with individual freedom and opportunity for all” rather than “a nation that claims to be a Democracy for all, but in reality is a racist state moving closer and closer to racial Apartheid as is

⁶⁵ Haven Page to Otto Kerner, Feb. 27, 1968, “Reaction to Commission Report #1,” Box 1, Series 30, NACCD, RG 282, LBJ Library, Austin, TX.

⁶⁶ *Ibid.*

⁶⁷ *Ibid.* Given Brooke’s trip to South Africa the previous month, Page would have owed Gov. Kerner \$100.

⁶⁸ Charles Holmquist to Lyndon Johnson, Feb. 5, 1968, “3/8/68,” Box 388, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁶⁹ *Ibid.*

practiced in South Africa.”⁷⁰ Arthur Ocker, an Illinois transplant living in North Carolina, wrote to Gov. Kerner to “commend the entire commission for its courage.”⁷¹ Ocker noted it was “not easy for a dominantly white society, of which I am a part, to recognize its failures and to accept major responsibility,” and that he wanted Kerner to know that while he knew there would be criticism, “just know that there are others like myself who admire your honesty, courage, and that there will be many, while not applauding, will perhaps grudgingly admit that there’s some truth in what the Commission says.”⁷²

Behind the scenes, several commissioners, most notably James Corman, remained bothered by the commission’s disregard for costs. In a February 1 memo assistant Kyran McGrath recommended that Otto Kerner pay a visit to Corman while in Washington. “Something is bothering him, and he showed an intense opposition to a number of the subjects discussed this week, to the point where he was contradicting statements from the day before and earlier in the month,” McGrath wrote, adding, “Even Katherine and Tex are worried about him.”⁷³ There was no on-the-record account of Kerner’s meeting with Corman—or whether a meeting had even happened—but the California congressman went to staffer Royce Lowry with direct questioning on how the Kerner Commission could bankroll its extensive set of recommendations. Lowry responded on February 14, telling Corman the estimates were “in line with the President’s assumption as to what

⁷⁰ Arthur Wolfe to Lyndon Johnson, Feb. 6, 1968, “3/8/68,” Box 388, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁷¹ Arthur Ocker to Otto Kerner, Feb. 25, 1968, “Reaction to Commission Report #1,” Box 1, Series 30, NACCD, RG 282, LBJ Library, Austin, TX.

⁷² *Ibid.*

⁷³ Kyran McGrath to Otto Kerner, Feb. 1, 1968, “Official Correspondence,” Box 1392, Series I, Otto Kerner Papers, 1947-1968, Abraham Lincoln Presidential Library, Springfield, Illinois.

would happen within 18 months after the end of the armed conflict of Vietnam,” though there was no projection as to when that end would happen.⁷⁴

With murmurs of the Kerner Commission’s findings growing louder as March 1 approached, some staffers remained concerned about aspects of the framing and conclusions slated to hit presses in February.⁷⁵ On two separate occasions in February, staffer Mel Bergheim expressed reservation over portions of the draft report. He criticized police departments across the nation for stocking up on weaponry in anticipation of more riots given commission findings that the “police response last summer was generally appropriate to the level of violence,” saying that both the commission and the country “must distinguish between control and warfare.”⁷⁶

Bergheim’s concerns on police militarization were not unfounded; a February 26 article in *U.S. News & World Report* detailed police departments across the country testing a bevy of new and unusual anti-riot tools. Among the trial runs were an “instant banana

⁷⁴ Roye Lowry to James Corman, “Financing the Cost,” Feb. 14, 1968, “Critical Comments on Drafts,” Box 3, Series 46, NACCD, RT 282, LBJ Library, Austin, TX.

⁷⁵ Externally, members of the Department of Justice who had seen portions of the report worried that both police and ghetto residents might view the “vivid” individual riot descriptions as inaccurate and misleading about what each respective group faced daily. Police might believe allegations that were “indifferent, unprofessional, or brutal” were not documented, while “Negro groups—both militant and nonmilitant—and the uncommitted Negro citizenry could, we think, have the same reactions to the riot descriptions.” Before the report went public, the commission needed to emphasize that “individual riot narratives are painstaking reconstructions based on Commission hearings, interviews, reports, associated research, and investigations.” Acting Director, Office of Law Enforcement Assistance to Deputy Attorney General, “Civil Disorders Commission—Draft Report Part I ‘What Happened?’” Feb. 20, 1968, “Government Agency Comments,” Box 4, Series 46, NACCD, RG 282, LBJ Library, Austin, TX.

⁷⁶ Mel Bergheim to Victor Palmieri, “Summary,” Feb. 14, 1968, “Critical Comments on Drafts,” Box 3, Series 46, NACCD, RT 282, LBJ Library, Austin, TX. At the end of the month, Ginsburg forwarded a memo from commission investigator M.C. Miskovsky. Miskovsky reported that a staffer had visited Recorder’s Court in Detroit to identify the 26 people in the Detroit riot charged with sniping. Of the 26 arrested and “charged with assault with intent to murder,” the records indicated that two women charged never had weapons and that, “according to Judge Vincent J. Brennan, not one of the persons arrested was seen in the act of firing.” Amid the chaos, according to Judge Brennan, Detroit police officers had arrested “suspicious looking” persons and arrested occupants of buildings where officers believed someone had been sniping, particularly if they found a firearm in the building. Miskovsky indicated that most of the cases were dismissed due to a “lack of evidence.” David Ginsburg to Commissioners, “Sniping in Detroit,” with attached memo from M.C. Miskovsky, Feb. 29, 1968, Feb. 16, 1968, “February 1-March 11,” Box 3, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

peel” that would coat a city block with a “slippery substance,” a gun that could penetrate brick, and a machine that would “spew out masses of bubbly foam” in an effort to stun rioters, “making it almost impossible for them to stand up and difficult for them to breathe,” though officials described the foam as “physically harmless.”⁷⁷ Other devices mentioned would “create bloodcurdling noises” or spew flames that “would frighten but not seriously burn.”⁷⁸ Police in Los Angeles had experimented with armored cars and foam; they had a SWAT-style plan that entailed loading up on bulletproof vests, shields, and helicopters to hover over inevitable commotion. In Detroit, officers “refused to reveal their battle plans” but had detailed riot measures in the works.⁷⁹ In DC, officials braced for more demonstrations by Martin Luther King Jr. scheduled for April. “Rioters are going to find this country more prepared than it was last year to meet force with force,” the article concluded.⁸⁰ As summer approached, and the Kerner Commission searched for solutions, American law enforcement prepared to treat inner cities like war zones.

Bergheim also worried about how the report classified nonwhite peoples in American cities.⁸¹ “Our emphasis has been on the Negro, but he is not the only minority in trouble,” Bergheim wrote to Victor Palmieri.⁸² Other groups also lacked resources to escape horrid living conditions; “they too have grievances that could fuel social explosions...they, too, need help,” Bergheim noted.⁸³ Among groups not mentioned as part of the nonwhite population were Asian Americans, Native Americans, Puerto

⁷⁷ “As Cities Prepare for Riots—New Weapons, New Tactics,” *U.S. News & World Report*, Feb. 26, 1968, 36 “Protests,” Box 3, Series 25, NACCD, RG 282, LBJ Library, Austin, TX.

⁷⁸ *Ibid.*

⁷⁹ *Ibid.*

⁸⁰ *Ibid.*, 37.

⁸¹ Bergheim to Palmieri, “Summary,” Feb. 14, 1968, “Critical Comments on Drafts,” Box 3, Series 46, NACCD, RT 282, LBJ Library, Austin, TX.

⁸² *Ibid.*

⁸³ *Ibid.*

Ricans, and Mexican Americans. Bergheim also claimed that the Census classifying Hispanics as white skewed poverty data, saying the “statistical effect...is that, given the high incidence of poverty among the Central and South American immigrant population, it tends to depress the overall level of white affluence and thereby seem to diminish the economic gap between Negroes and whites of European stock.”⁸⁴ The term “Negro,” in Bergheim’s estimation, “oversimplified” the black community, rendering it monolithic in thought and action, while the interchangeable nature of “Negro” and “nonwhite” within the report draft risked the perception that the commission had ignored many people of color who faced struggles similar to those of African Americans.⁸⁵

As part of the effort to quell tensions, the Kerner Commission also sought the advice of those who had successfully mobilized interracial support. Commission staff sent a detailed questionnaire to Carl Stokes, the recently elected African American mayor of Cleveland, in advance of scheduled testimony on February 20. The purpose was ascertaining how Stokes and his advisers had canvassed black voters so effectively; commission attorney Merle McCurdy sought Stokes’s advice as both a candidate and a mayor. “The Commission is interested in obtaining your views on the future of the political process as an instrument of urban change,” fellow Clevelander McCurdy wrote to Stokes.⁸⁶ Staffers also wanted Mayor Stokes’s input on his “strategy employed to reach white voters and its success,” as well as whether black activists had tried to influence him and “methods by which local governmental institutions can be made more responsive to

⁸⁴ Mel Bergheim to Victor Palmieri, Feb. 20, 1968, “Critical Comments on Drafts,” Box 3, Series 46, NACCD, RT 282, LBJ Library, Austin, TX.

⁸⁵ *Ibid.*

⁸⁶ Merle McCurdy to Carl Stokes, Feb. 14, 1968, “Commission Hearings, General,” Box 1, Series 31, NACCD, RG 282, LBJ Library, Austin, TX.

needs of city ghetto residents.”⁸⁷ Ideally, consulting officials like Stokes would hew a navigable path to black political influence that was not overrun by militants; it would allow the Kerner Commission to advance on its own terms, clear-eyed and armed with pragmatic solutions.

The commission did not have to send a questionnaire to Gary Mayor Richard Hatcher; he had agreed to a formal deposition. Hatcher, like Stokes, was a newly minted African American mayor. While he did not subscribe to the tenets of black militancy, he expressed empathy and said he understood militant reaction based on white attitudes that vacillated between hostility and lethargy in addressing African American issues. In summarizing Hatcher’s testimony, Ginsburg said that the mayor noted riots had “a beneficial effect in terms of creating greater awareness on the part of the white majority as to the conditions of our cities,” though he added that only “time will tell if the riots actually created a greater commitment to correct conditions on the part of white people in the country.”⁸⁸ Hatcher also criticized governing officials on both the federal and local level; the anti-riot legislation proposed by the president, he told commissioners, demonstrated there had been “no great awakening” within the federal government or white power structure, while repressive measures in local governments conveyed a similar attitude.⁸⁹ On the subject of law and order, Hatcher stated that while he supported it in theory, “I’m not an advocate of law and order at any cost.”⁹⁰ He also disputed the notion that spending on the Vietnam War had cut into potential spending on domestic

⁸⁷ McCurdy to Stokes, Feb. 14, 1968, “Commission Hearings, General,” Box 1, Series 31, NACCD, RG 282, LBJ Library, Austin, TX.

⁸⁸ David Ginsburg to Commissioners, “Summary of Richard Hatcher’s Deposition,” Feb. 26, 1968, “General Counsel,” Box 1, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

⁸⁹ *Ibid.*

⁹⁰ *Ibid.*

issues. “This money was not being spent on the slums before the war; what makes them think the war is keeping it from the slums now?” Hatcher asked the commission.⁹¹ He cited specific programs within Johnson’s domestic agenda, programs like Model Cities and the anti-poverty program, which had unaddressed “funding problems” apart from spending abroad.⁹² The onus was on the federal government to “bring about the type of tangible results people expect.”⁹³ While Hatcher remained encouraged in some respects about how officials in Washington wanted to help the nation’s poor, he told commissioners that the “real test is whether these goal signs can be translated into concrete results for people...If they are not, then we will fail.”⁹⁴

On February 22 Ginsburg forwarded an excerpt from the previous commission meeting at Lindsay’s request. The excerpt was a rough draft of the report’s introduction penned by the vice chairman himself. In keeping with his defiant stances as a commissioner, Lindsay’s introduction was uncompromising in setting the nation’s tableau. He declared:

Those Americans who took to the ghetto streets last summer were neither cautious nor tentative in expressing their reaction to the promises and performance of the community around them.

In reporting to the President and the nation on these events and their origins we will be neither cautious nor tentative; we will not blunt the message we bear in order to reassure those who expect a diagnosis less damning or recommendations less far-reaching.

The Commission has looked back—to see what has happened and what had happened. And we have looked ahead—to see what might happen in the future. In both cases, our conclusions differ drastically from those held by many Americans. Above all, we have concluded that this nation today confronts a critical choice about the future of American society.

⁹¹ Ginsburg to Commissioners, “Hatcher’s Deposition,” Feb. 26, 1968, “General Counsel,” Box 1, Series 37, NACCD, RG 282, LBJ Library, Austin, TX.

⁹² *Ibid.*

⁹³ *Ibid.*

⁹⁴ *Ibid.*

This nation is at present moving toward two separate societies, one black, one white, separate and unequal. Reaction to last summer's disorders has quickened that movement and deepened that division. It threatens to make absolute the discrimination and segregation that have always permeated so much of American life and attitudes.

Yet this growing racial division is not inevitable. The movement apart can be reversed; the races can be brought together. New attitudes on the part of individuals and new policies on behalf of the nation can shape a future consistent with the historic ideals of our society.

We place this choice before the American people: one society or two. Our principle task is to define this choice and wage a national resolution. To continue present policies without regard to their future implications is to make unconscious choices which may have the most ominous consequences for our society.⁹⁵

Lindsay's speech—foreboding, unmerciful, not-yet-public—presented, in some respects, the worst-case scenario for the Johnson Administration. Here was a public official interested in appeasing no one in the final analysis, a man who knew the spotlight would be on the report's introduction and who took the opportunity to declare the need to confront America's racial wounds on an unprecedented scale. He pointed to three “strong forces” at work for the violence from the previous summer: the “corrosive and humiliating effects” of discrimination and segregation, the formation of inner-city ghettos as a result of the Great Migration and “white flight” to the suburbs, and the “intersection of segregation in poverty” in those ghettos and its demoralizing consequences.⁹⁶ Using similar rhetoric—“neither cautious nor tentative”—in describing both rioters and the report's ambition was not a coincidence. New York's mayor saw it as a moment to follow through on his aspirations, to offer a forthright account in the interest of every American. For other commissioners, the transcript surely confirmed what they had already heard with their own ears previously: John Lindsay was not bluffing.

⁹⁵ David Ginsburg to Commission, “Mayor Lindsay's Summary, w/ Attached Summary,” Feb. 22, 1968, “February 1-March 11,” Box 3, Series 5, NACCD, RG 282, LBJ Library, Austin, TX.

⁹⁶ *Ibid.*

Initially, what the Kerner Commission might recommend did not alter or strain White House plans as the release date loomed. In mid-February, the Kerner Commission made plans to meet with President Johnson in the Oval Office upon the report's release. Writing to the president on February 13, White House Chief of Staff Marvin Watson said that David Ginsburg had phoned him and said the commission was readying a typewritten report for March 1. The executive director wanted the entire commission to meet with President Johnson and "present the report" and take photographs.⁹⁷ Later on that Friday afternoon, the commission would release copies of report to the press. "Will the President see members of National Advisory Commission on Civil Disorders on Friday, March 1," Watson's memo inquired, offering lines for a "YES" and "NO" answer.⁹⁸ Johnson checked yes. He scrawled at the bottom of the memo that if "Joe"—referring to White House aide Joseph Califano—had seen the report and agreed, he would agree to the meeting as well.⁹⁹

With a meeting with President Johnson secured, the Kerner Commission also planned a multivalent media barrage, saturating television, radio, and newspapers in the first weekend in March with details on the Kerner Commission report. The list as constituted in a February 21 memo from Alvin Spivak to Ginsburg was an exhaustive one. Wall-to-wall coverage included a March 3 one-hour special on ABC titled "Issues and Answers" featuring Kerner, Harris, and Wilkins as guests; an expanded edition of NBC's *Meet the Press* with six mayors of major cities; a one-hour documentary about the report and the issues it addressed on CBS; a one-hour television special with a similar

⁹⁷ Marvin Watson to Lyndon B. Johnson, Feb. 13, 1968, "1/26/68-2/27/68," Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁹⁸ *Ibid.*

⁹⁹ *Ibid.*

approach on NBC; radio coverage on Saturday, March 2, on both NBC and CBS radio; cover stories in *Newsweek* and *Life* magazines, respectively; appearances by Harris and Brooke on NBC's March 4 *Today*, and a summaries of the report in a scores of newspapers—including the *Los Angeles Times*, *The Boston Globe*, and *New York Daily News*.¹⁰⁰ Spivak also reported that *Face the Nation* on CBS had “expressed interest” and that there was a “likelihood that at least *The New York Times* will run the [full] text of our summary.”¹⁰¹ There was “extreme interest on the part of British television and newspapers,” which Spivak said was a reminder of “the foreign impact of this document (which USIA has already emphasized), and we are in contact.”¹⁰² Bantam Books would publish the full text of the entire report, printing its first 250,000 copies for sale on March 4. Local television affiliates in New York would have coverage focused on Newark, and several trade publishers expressed interest in a hard-cover publication at some point. “It is clear to me that the impact of the report will be huge, and that the exposure mentioned above will be expanded by other outlets as we approach the release time,” Spivak told his colleague.¹⁰³ It was a monumental press junket that sought to leave no questions unanswered while the commission had the limelight. Spivak, Ginsburg, and their colleagues wished to make the commission and its work available and even overexposed in the interest of crystalizing its message to the American people.

¹⁰⁰ Alvin Spivak to David Ginsburg, “Coverage of Report,” Feb. 21, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX. On February 27, Spivak reported that the *Washington Post* planned to “block out a large amount of space (they have three newsmen assigned so far) and to run all or most of the summary text.” Alvin Spivak to David Ginsburg, “Coverage of Report,” Feb. 27, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰¹ Spivak to Ginsburg, “Coverage of Report,” Feb. 21, 1968, LBJ Library, Austin, TX.. In the follow-up memo on media coverage, Spivak would also confirm that Lindsay would appear on the March 3 edition of *Face the Nation* to discuss the report. Spivak to Ginsburg, “Coverage of Report,” Feb. 27, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁰² *Ibid.*

¹⁰³ Spivak to Ginsburg, “Coverage of Report,” Feb. 21, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

By February 26 memos from Johnson's inner circle indicated that the president had serious misgivings about what the Kerner Commission might release later in the week. Texan attorney Larry Temple, who served as the president's special counsel, sent two separate memos on February 26 in an effort to assuage anxieties. According to Temple, Ramsey Clark had read the report over the weekend for the first time and "sees nothing to cause any great concern," though he added that Clark "recognizes your concern about the costs of the recommendations to rebuild the cities."¹⁰⁴ Clark planned to meet with Kerner in Washington on the same day to raise the issue of costs. In a postscript, Temple added that Clark had called back to say that "Budget is computing the costs of this report and will have figures later tonight."¹⁰⁵ After conferring with other officials, Clark reported that the costs would not "be so high as to cause BOB [Budget of Bureau] any concern or alarm."¹⁰⁶ He added that the press already knew about the recommendations on rebuilding cities. A separate memo later that evening sent to the president revealed that Califano planned to have breakfast with Kerner and Ginsburg the following morning and would have the Bureau of the Budget's figures available to discuss with them. "Joe [Califano] said the Commission report has virtually no figures of cost in it," Temple wrote, though he added Califano noted there "is a paragraph which says that all of the recommendations 'depend on our will to tax ourselves.'"¹⁰⁷ Temple added that Califano planned to "advise Kerner and Ginsburg that any recommendations

¹⁰⁴ Larry Temple to Lyndon B. Johnson, Feb. 26, 1968, "1/26/68-2/27/68," Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹⁰⁵ *Ibid.*

¹⁰⁶ *Ibid.*

¹⁰⁷ *Ibid.*

must be accompanied by suggestions for their financing.”¹⁰⁸ President Johnson scrawled some notes at the bottom of the missive expressing displeasure.

That displeasure came through more clearly in a formal response to Califano. “I HAVE BEEN SEEING ON THE WIRE AND HEARING ON THE RADIO ALL DAY LONG WHAT THE COMMISSION ON CIVIL DISORDERS IS GOING TO REPORT TO ME,” Johnson wrote to his aide.¹⁰⁹ He added that he would “PREFER TO RECEIVE THE REPORT BEFORE I HEARD ABOUT IT FROM NEWS MEDIA...WHATEVER THE REPORT RECOMMENDS, I HOPE IT WILL ALSO CONTAIN RECOMMENDATIONS TO FINANCE THESE PROPOSALS.”¹¹⁰ The telegram in capital letters only accentuated the president’s annoyance. “ANYONE CAN RECOMMEND SPENDING, BUT PREPARING METHODS TO FUND THE COSTS OF NEW PROGRAMS TAKES MORE ABILITY,” he continued.¹¹¹ Johnson said that spenders needed “LENDERS TO LEND” or taxpayers who would not object to increased taxes.¹¹² He concluded: “SO I HOPE THOSE WHO ARE PREPARING THE FINAL REPORT WILL BE AS IMAGINATIVE ON TAXING AS THEY ARE ON SPENDING.”¹¹³ The report’s release was just three days away, and now, the harried, ill-tempered man who had green-lighted the commission to begin with seemed quite irritated with the direction that its report might take.

The following day, Spivak sent Ginsburg a memo anticipating how the media would likely cover the release of the commission’s report. Spivak, whose memo

¹⁰⁸ Temple to Johnson, Feb. 26, 1968, “1/26/68-2/27/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹⁰⁹ Lyndon B. Johnson to Joseph Califano, Feb. 26, 1968, “1/26/68-2/27/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹¹⁰ *Ibid.*

¹¹¹ *Ibid.*

¹¹² *Ibid.*

¹¹³ *Ibid.*

contained twenty separate numbered thoughts, surmised that media outlets would latch onto the “call for across-the-board action—in jobs, housing, welfare, education, and other fields—to give America’s Negroes a better life and reduce the threat of urban riots” first and foremost.¹¹⁴ The press would also likely gravitate toward the “moving toward two societies” line from Lindsay’s fiery introduction draft, Spivak said, as well as the commission’s “charge that ‘white racism is essentially responsible for the explosive mixture’ which has culminated in city riots over the last four years.”¹¹⁵ Beyond these broader emphases, Spivak guessed that “some quarters may be more specific” in how they framed the report, perhaps touting program proposals that would create 2 million jobs and 6 million housing units, respectively, and a “call for city governments to narrow the widening gap between the local power structure and the ghetto and for police to smooth their relationships with the Negro if riots are to be averted.”¹¹⁶ Newspapers might also report on the lack of evidence for a conspiracy, “highly exaggerated” sniper fire in riot areas, and the commission’s claim that eradicating the “causes of violence” was crucial “even if ‘new taxes’ are necessary to achieve this.”¹¹⁷ Spivak continued with a list of newsworthy tidbits from the report, many of which were embedded within specific sections, including the forecast in Chapter 16 (“The Future of Cities”) and a side article from Chapter 9 “comparing the immigrant and Negro” experiences.¹¹⁸ The press would also “pick up, probably as a sidebar, the Commission’s findings that the news media tried

¹¹⁴ Al Spivak to David Ginsburg, “Probable News Coverage,” Feb. 27, 1968, “1/26/68-2/27/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹¹⁵ *Ibid.*

¹¹⁶ *Ibid.*

¹¹⁷ *Ibid.*

¹¹⁸ Other points Spivak guessed would be newsworthy were descriptions of the rioters, the commission’s “listing of levels of intensity of Negro grievances—with police practices, unemployment, and underemployment and inadequate housing topping the list,” the proposed “tax incentive for tackling the problem of finding jobs for the hard-core unemployed, and ideas stemming from riot control like the “emphasis of use on nonlethal weapons.” *Ibid.*

to do well but showed instances of sensationalism, inaccuracy, and distortion in riot news, thus exaggerating both mood and event,” he speculated.¹¹⁹ His final point touched on the likelihood of the press’s specific criticisms of the report, specifically “making something of the fact that Vietnam goes almost entirely unmentioned,” that the “program proposals aren’t costed,” and that “most of the program recommendations aren’t new.”¹²⁰ While Spivak did not offer advice on this final point, the memo served as a reminder that just as the White House tried to anticipate the commission’s findings, the commission sought to guess what the press would emphasize and the sections of the massive undertaking it might critique.

Spivak sent a separate memo on February 27 that sought to anticipate precise questions the press might have about the report. “I have tried to think of some as nasty as those I used to ask the president, but eight months of this easy commission life have caused the sap to run dry,” Spivak wrote, referring to his own journalism career.¹²¹ The commission had hired Spivak due to his press credentials and knowledge of the “Fourth Estate”; now, in advance of releasing the report to the world, it relied on those credentials to navigate the political climate and advise how Spivak’s ex-colleagues might approach the report. His memo, addressed to Ginsburg, featured twenty-four hypothetical questions and potential answers for Ginsburg and other commission officials slated to speak to the media. “A basic question—regardless of whether the Commissioners themselves say anything—will be: were they unanimous? Did all of them agree on everything in the

¹¹⁹ Spivak to Ginsburg, “Probable News Coverage,” Feb. 27, 1968, “1/26/68-2/27/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹²⁰ *Ibid.*

¹²¹ Al Spivak to David Ginsburg, “Potential Q&A,” Feb. 27, 1968, “Memo, Feb. 24, 1968,” Box 1394, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

report?” Spivak asked at the outset.¹²² He wrote that while spokespeople needed to acknowledge the “great diversity of opinion” due to the “wide spectrum” of people serving on the commission, they also needed to stress that the “important thing is that gaps were narrowed and this stands as a Commission document, signed by all.”¹²³ The press would, as Spivak mentioned in his previous memo, ask about Vietnam; “Roy Wilkins phrased this pretty well during the meeting, to the effect that the Commission had a big enough job on its hands looking into this crisis without going into the other one also,” he wrote.¹²⁴ A reporter might ask why there were no prices attached to the proposals, and the commission needed to respond, as it had done “quite eloquently,” in Spivak’s estimation, that it was “the Commission’s aim to set goals” and suggest “programs illustrative of ways to meet those goals” irrespective of cost.¹²⁵ On questions of conspiracy, “black agitation,” and anyone wondering, “Isn’t there black racism too?” Spivak referred to answers at committee meetings that had sufficed and “validly stand now.”¹²⁶

Another question the commission would have to contend with was whether recommendations were “soft-pedaled as a result of White House pressure.”¹²⁷ Spokesmen needed to deny this firmly with “a flat no, plus insistence that they...weren’t watered down, or whatever other word the newsman might use.”¹²⁸ On the subject of Black Power and why no such militants were “heard by the Commission,” officials needed to point to the witness list and respond that commissioners and staff had spoken with militants and

¹²² Spivak to Ginsburg, “Potential Q&A,” Feb. 27, 1968, “Memo, Feb. 24, 1968,” Box 1394, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

¹²³ *Ibid.*

¹²⁴ *Ibid.*

¹²⁵ *Ibid.*

¹²⁶ *Ibid.*

¹²⁷ *Ibid.*

¹²⁸ *Ibid.*

that “some of their information is in the form of depositions which can be made public,” while some “must remain confidential.”¹²⁹ On accusations that “the Commission ducks the question of whether there will be more riots in 1968,” pointing to President Johnson’s own quote on the possibility of a bad summer, Spivak urged officials to be forthright in saying that the report, its officials, and the broader public did not know either way what the future would hold, and that the focus should instead be “to get on with the job, to make the choices that the report sets forth, so that disorders will not recur.”¹³⁰

Spivak’s list continued. No, the bipartisan commission, all of whom wanted solutions and deplored violence, would not affect the 1968 election. No, the president did not expedite the timeline and order the commission to abolish its interim report for the purposes of his re-election campaign. On questions regarding disgruntled staff members, commission officials should stick to their old answers, Spivak wrote. To potential accusations of an “unbalanced” report that absolved those rioting African Americans of blame, Spivak said: “the Commission’s assignment was to trace the causes of the violence by Negroes in slums last year—and the evidence, without by any means condoning the violence that ensued, points overwhelmingly to the causes we have cited.”¹³¹ On whether the commission was “damning with faint praise” in its endorsements of Johnson’s proposals on gun control and antiriot legislation by including them as a supplement, Spivak urged spokesmen to say it was “a part of the report and a substantial part of it,” supplementary only in name.¹³² On the criticism that none of the

¹²⁹ Spivak to Ginsburg, “Potential Q&A,” Feb. 27, 1968, “Memo, Feb. 24, 1968,” Box 1394, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

¹³⁰ *Ibid.*

¹³¹ *Ibid.*

¹³² Spivak to Ginsburg, “Potential Q&A,” Feb. 27, 1968, “Memo, Feb. 24, 1968,” Box 1394, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

recommendations could pass in time to enact any change in the short term, Spivak resisted, saying, “much in this report can be done soon, can be done now—particularly at the community level, in the private sector, by the police, and, indeed, by the federal government in paying more attention to enforcing laws that are already on the books.”¹³³ Regarding a separate, second possible question on Vietnam—how the commission might reconcile the funding with the vast resources the war had drained from domestic coffers—he encouraged the commission to defer expertise on Vietnam, reasoning, “we would not expect a commission on Vietnam to come up with answers about the domestic riots.”¹³⁴

The memo featured a number of needling questions in an attempt to prepare the commission for potential criticism, not all of which might necessarily seem fair to those tasked with fielding questions. Spivak posed a question, related to the commission’s portrait of “trigger-happy guardsmen, police violence, and the like,” that asked bluntly: “Are you trying to say that the public is dreaming? That there were no riots last year? That it was all a police and guard invasion?”¹³⁵ The commission needed to clarify that there was rioting and disheartening consequences to that rioting—though “a lot less sniping than people thought”—but that the public had a “picture of far vaster rioting last year” than what had actually happened, and that the picture had rarely elaborated on the causes or conditions of violence.¹³⁶ If a media member followed up asking why, if the public misunderstood the scope of the riots, the commission gave “generally good grades to the press in its riot coverage,” Spivak said he would “leave this to [the individual’s]

¹³³ *Ibid.*

¹³⁴ *Ibid.*

¹³⁵ *Ibid.*

¹³⁶ *Ibid.*

judgment in answering.”¹³⁷ If one asked whether housing and job recommendations doubling those of President Johnson constituted “criticism of his program on your part,” Spivak preferred to pivot and say that it was not a criticism of Johnson’s programs, but rather a “presentation of our own suggestions....what we are saying is that we should not stop there [at president’s agenda recommendations], but should forge ever farther.”¹³⁸ Asked whether the report might “end the life of the commission,” Spivak told Ginsburg: “this was a question left hanging on Tuesday; it will, somehow, require an answer.”¹³⁹ While Spivak’s answers to hypothetical questions offered no guarantee for satiating the press or the broader public over the contents of the report, they at least demonstrated that the Kerner Commission had thought ahead in an effort to assuage critics and convince the general public of a truthful report filled with meaningful recommendations for the country in the coming years.

On the same day, Spivak sent Ginsburg a third memo plotting the distribution of the Kerner Commission’s final report. Press copies would be made available on the afternoon of Thursday, February 29, and the commission’s press secretary wanted media to have a copy “certainly no later than 9 AM Friday” so that they could read it in time for Ginsburg’s Friday afternoon press briefing. Spivak cited the report’s “extreme length” for the early distribution, adding, “I’m not sure how it’s in excess of 250,000 words.”¹⁴⁰ He hoped Ginsburg would brief the press only after Kerner and Lindsay had time to make a brief statement “so that television and radio will have something on hand they can

¹³⁷ Spivak to Ginsburg, “Potential Q&A,” Feb. 27, 1968, “Memo, Feb. 24, 1968,” Box 1394, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

¹³⁸ *Ibid.*

¹³⁹ *Ibid.*

¹⁴⁰ Al Spivak to David Ginsburg, “Report Distribution,” Feb. 27, 1968, “1/26/68-2/27/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

use.”¹⁴¹ Spivak had urged against the chairman and vice chairman scheduling a Friday press conference before or during the report’s release because “it will only be a waste of time if they have nothing to add and it will detract from the report if they have anything to add.”¹⁴² The commission planned to inform the press of report distribution by Thursday morning, though Spivak said this was not because “we have to drum up interest...it will help immeasurably in having competent, thorough coverage of a significant—but bulky—document.”¹⁴³

Across town, Califano told the president he worked with members of the White House staff to review the report in advance of its national release. At the outset, Califano and those assisting him—he mentioned “Budget Bureau and Gaither, Nimetz, and Bohen of our staff,” specifically—considered two questions.¹⁴⁴ The first: “what items in the report will make news?”; the second: “how do their recommendations for action compare with what we are doing?”¹⁴⁵ Califano told Johnson that “although the program recommendations are ambitious in latitude,” those gathered doubted they would make as many headlines as certain observations not anchored in the report’s findings.¹⁴⁶ To begin with, Califano wrote, the report “indicts latent and pervasive racism throughout the white community, rooted in three centuries of oppression, callous neglect, and indifference to the Negro people” that riots and their aftermath had only exposed further.¹⁴⁷ “The report spares no one, and, by inference, does not believe that there has been significant progress

¹⁴¹ Spivak to Ginsburg, “Report Distribution,” Feb. 27, 1968, “1/26/68-2/27/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹⁴² *Ibid.*

¹⁴³ *Ibid.*

¹⁴⁴ Joseph Califano to Lyndon B. Johnson, “Commission Findings/Summaries Attached,” Feb. 27, 1968, “2/28/68-3/13/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹⁴⁵ *Ibid.*

¹⁴⁶ *Ibid.*

¹⁴⁷ Califano to Johnson, “Commission Findings/Summaries Attached,” Feb. 27, 1968, “2/28/68-3/13/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

toward racial justice since the Supreme Court decision of 1954 or the Civil Rights legislation of the last decade,” Califano told his boss, knowing how much this sentence would sting Johnson when he read it.¹⁴⁸ Additionally, the report chastised “ineffective, indifferent, backward city governments” as well as “local police competence and the national guard.”¹⁴⁹ It condemned violence but also emphasized the “conditions that produce despair in ghettos, and the ineffective, often inflammatory actions that were taken by law enforcement officials.”¹⁵⁰ Overall, Califano and his colleagues deemed the commission’s findings “constructive in approach,” and while they believed it needed “editing and compression,” they considered the tone “reasonable, deliberate, and not inflammatory.”¹⁵¹ He reiterated the commission’s “two Americas” thesis—a “white, suburban America on one side, and a black, urban America on the other”—and added that “even if we spend a lot more they believe we will still end up with two Americas albeit with gilded ghettos.”¹⁵² It was a recipe, according to the commission, for ongoing violence. “In general, their direction of motion is similar to the Administration’s, although faster in some areas,” Califano wrote before delving into a few illustrative examples of commission recommendations from the chapters provided.¹⁵³ He proffered no blistering criticisms in this message to Johnson; there were subtle indications that the exhaustive report was perhaps a bit ambitious and wordy, but nothing to indicate the Administration’s extreme displeasure or that the president’s scheduled meeting with the commissioners was in any kind of peril.

¹⁴⁸ *Ibid.*

¹⁴⁹ *Ibid.*

¹⁵⁰ *Ibid.*

¹⁵¹ *Ibid.*

¹⁵² *Ibid.*

¹⁵³ *Ibid.*

The following day, however, Califano sent a more substantive message on the commission's findings and possible courses of action for the White House. In this February 28 memo, the president's assistant laid out some of the commission's findings in more detail. On the role that Black Power and other activists groups had on violence, Califano paraphrased the commission as finding that "their tolerable encouragement of violence heightened tensions, created a mood of acceptance and expectation, and...contributed to the eruption of the disorders last summer."¹⁵⁴ On the commission's four-prong plan in terms of recommendations—jobs, housing, education, and welfare—Califano said that "in general, their direction is similar to ours, but much more ambitious, and in some cases unrealistic in the short run."¹⁵⁵ Among the recommendations were 2 million new jobs for the "unemployed and under-employed" over the next three years, which Califano noted, according to the Bureau of the Budget, would "increase the budget by \$6 billion in fiscal year 1968."¹⁵⁶ In the realm of education, the commission wanted "immediate and massive increases in Head Start and Title I of the Elementary and Secondary Education Act," as well as "putting more muscle behind the school desegregation Title of the Civil Rights Act of 1964 through construction aid to overcome racial imbalance, exemplary schools, tying federal aid to integration, etc."¹⁵⁷ Califano branded this massive expansion of Johnson's own Great Society measures as "very costly" and said it "amounts to massive bribes to induce suburbs to school Negroes."¹⁵⁸ In housing, the commission wanted 600,000 subsidized housing units for the coming year

¹⁵⁴ Califano to Johnson, "Commission Findings/Summaries Attached," Feb. 27, 1968, "2/28/68-3/13/68," Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹⁵⁵ *Ibid.*

¹⁵⁶ *Ibid.*

¹⁵⁷ *Ibid.*

¹⁵⁸ Califano to Johnson, "Commission Findings/Summaries Attached," Feb. 27, 1968, "2/28/68-3/13/68," Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

and 6 million new units over the next five years; Califano wrote to Johnson that this request “doubles the program you announced last week and is totally unrealistic.”¹⁵⁹ He added that there was “clearly not available the private finance, the skilled labor, the land, the entrepreneurial leadership to justify these figures as targets.”¹⁶⁰ If markets could “just barely support” the Johnson’s housing program in place, they “could not support the Commission’s program,” Califano said.¹⁶¹ Lastly, on welfare, Califano noted that eleven of the sixteen recommendations made by the Kerner Commission had already been endorsed or proposed by the Johnson Administration. Four recommendations went beyond these measures; they included national standards for welfare payments at the poverty line, federally financing 90 percent of welfare payments to match appropriate standards (a request that BOB said would add \$7 billion to \$9 billion for the fiscal year 1968), championing a guaranteed minimum income, and ridding the welfare system of “bureaucracy and red tape” in favor of aiding those “who meet simple income tests.”¹⁶²

A memo from the Bureau of the Budget with “tentative pricing recommendations” for Kerner’s proposals corroborated Califano’s concerns.¹⁶³ “A rough tabulation of unscreened figures shows that the Commission’s recommendations would require additional new obligational authority in the federal budget of \$11.9 billion fiscal [year] 1969 and probable add-ons of \$24.5 billion in 1971,” wrote BOB employee Michael Marsh in a February 29 message.¹⁶⁴ Marsh separated the numbers categorically

¹⁵⁹ Joseph Califano to Lyndon B. Johnson, “Summary of Commission Findings/Summaries Attached,” Feb. 28, 1968, “2/28/68-3/13/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹⁶⁰ *Ibid.*

¹⁶¹ *Ibid.*

¹⁶² *Ibid.*

¹⁶³ Michael Marsh, “Tentative Pricing Recommendations from Commission,” Feb. 29, 1968, “2/28/68-3/13/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹⁶⁴ Marsh, “Tentative Pricing Recommendations,” Feb. 29, 1968, “2/28/68-3/13/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

for each year's budget; for 1969, it entailed \$59 million more for crime and disorders, \$1.571 billion more for employment, \$2.87 billion for education, \$7.19 billion for welfare, and \$259 million for housing.¹⁶⁵ For the 1971 budget, the pricing estimated a \$308 million increase for crime and disorders, a \$3.619 billion increase for employment, a \$10.762 billion increase for education, a \$9.225 billion increase for welfare, and a \$560 million increase for housing.¹⁶⁶ According to Marsh, the bureau could not account for the smaller recommendations; "the Commission's recommendations related to cities are very general and no pricing has been included above for rebuilding the cities, except in the Housing category," he wrote.¹⁶⁷ Furthermore, he estimated that the proposal for 6 million new federally funded housing units in five years "will probably require about \$45 billion of private financing in the 5-year period on top of an already big housing effort."¹⁶⁸ Marsh lastly predicted that state and local governments would have to "fund substantial outlays" for police-related proposals and for "matching funds for some of the proposed new Federal programs."¹⁶⁹ If the memo underscored the harsh financial realities attached to the Kerner Commission's recommendations and vision for America going forward, it also told Lyndon Johnson exactly what he wanted to hear: that substantive research indicated that America could not afford to bankroll what the commission advised. On top of his slow-growing animus toward the commission and some of its more recalcitrant members, Johnson now had fiscal evidence backing the idea that the commission's pie-in-the-sky rhetoric was simply not workable.

¹⁶⁵ *Ibid.*

¹⁶⁶ *Ibid.*

¹⁶⁷ *Ibid.*

¹⁶⁸ *Ibid.*

¹⁶⁹ *Ibid.*

In the short term, Califano told President Johnson, the Kerner Commission “puts the responsibility for averting or controlling disorder on local officials through more responsive police and local governments, better police training and better preparation.”¹⁷⁰ In the long term, the commission said the Johnson Administration “is heading in the right direction, but it is moving too slowly, devoting insufficient resources to make a dramatic difference and organizationally scattering its shots.”¹⁷¹ Change would require a renewed effort to “strike down artificial barriers to jobs, education, and housing to fund social programs at the level required to make a major difference generally.”¹⁷² Califano, who had editorialized already in his memo, knew he needed to give no opinion in this section to enrage his boss. He noted as well that “with very few exceptions, the report is almost completely silent on the cost of the recommendations.”¹⁷³ Estimates provided were based on a “quick reading of the report” from BOB, and Califano assured the president that the bureau would “price out all the recommendations in the attached list and have some for us tomorrow afternoon.”¹⁷⁴ He also pointed to the “strongest language” in the report on the notion of raising taxes and paying for the programs, a passage where Kerner and Ginsburg referred to a “commitment to national action—compassionate, massive and sustained, backed by the resources of the most powerful and the richest nation on this earth...the vital needs of the nation must be met; hard choices must be made, and, if necessary, new taxes enacted.”¹⁷⁵ Internally, Califano reported that while the report

¹⁷⁰ Califano to Johnson, “Summary of Commission Findings/Summaries Attached,” Feb. 28, 1968, “2/28/68-3/13/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹⁷¹ *Ibid.*

¹⁷² *Ibid.*

¹⁷³ *Ibid.*

¹⁷⁴ *Ibid.*

¹⁷⁵ Califano to Johnson, “Summary of Commission Findings/Summaries Attached,” Feb. 28, 1968, “2/28/68-3/13/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

issued was a unanimous one, two commissioners “at heart have different views.”¹⁷⁶

Thornton believed the report to be too ambitious, while Lindsay wanted the commission to be more vocal in its opposition to the Vietnam War “because of the resources it’s draining away from the cities.”¹⁷⁷

After listing the weekend “public relations operation” schedule for commission luminaries, Califano included a section with the underlined title, “How Do We Handle It.”¹⁷⁸ Unsurprisingly, he suggested separate public and private approaches to the report. Publicly, he recommended that Johnson “sign Thursday (for Friday release) the attached statement or something similar in response to a transmittal from Governor Kerner praising your progress to date,” though Califano added in parentheses, “the report itself has very little good to say about anyone,” a strikingly different assessment than the one he had delivered the previous day.¹⁷⁹ Privately, Califano advised that Johnson give “[Jim] Christian and me approval to start leaking the report to diminish its overall impact, point up its enormous cost and the unrealistic nature of its recommendations.”¹⁸⁰ In a handwritten note accompanying the typed memo, Califano wrote, “I have assumed you would not want to receive the report personally,” an indication that an already seething Lyndon Johnson would only grow angrier if he read the Kerner Commission’s introduction.¹⁸¹ Califano perhaps figured that he could at least offer a more levelheaded assessment when reviewing the report with fellow staffers, though this reading also turned out to be an unfavorable one. “I doubt whether you should reconvene the

¹⁷⁶ *Ibid.*

¹⁷⁷ *Ibid.*

¹⁷⁸ *Ibid.*

¹⁷⁹ *Ibid.*

¹⁸⁰ *Ibid.*

¹⁸¹ Joseph Califano to Lyndon B. Johnson, Feb. 28, 1968, “2/28/68-3/13/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

Commission to have them give you ways to raise the money to implement their proposals,” he wrote, adding that he feared “many members (led by Lindsay) would get into Vietnam and some members would recommend that we pull out of Vietnam to pay for their programs.”¹⁸²

Here was a Johnson assistant, a man who commanded the president’s attention and respect, telling the commander-in-chief that the White House goal on the heels of a seven-month exercise of its own making should be damage control. Signs had long pointed to the Johnson Administration undermining the Kerner Commission’s efforts, and now, with a copy in hand, Califano’s message to the Oval Office seemed to affirm those signs. As commission staffers prepared tirelessly in an attempt to anticipate questioning and criticisms of its thick final report, they could not have known the extent to which the White House, the Kerner Commission’s brainchild and very reason for existence, made preparations of its own to stymie what months of hard work had yielded. The disparity between Califano’s public and private responses, on top of President Johnson’s festering resentment over the idea that the commission might tell him he had not done enough, called into question whether there would be a meeting between the commissioners and the president as scheduled. A February 28 White House Cabinet meeting was a reminder of the prominent backdrop to the Kerner Commission saga, the Vietnam War. Johnson railed against Vietnamese leader Ho Chi Minh in the meeting, comparing him to Adolf Hitler and lamenting that “we, the President and the Cabinet, are the murderers and they never say anything about Mr. Ho.”¹⁸³ He lashed out at protestors,

¹⁸² Califano to Johnson, Feb. 28, 1968, “2/28/68-3/13/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹⁸³ Minutes of White House Cabinet Meeting, Feb. 28, 1968, “Cabinet Meeting, 2/28/68,” Box 12, Office Files of Joseph A. Califano Jr., LBJ Library, Austin, TX.

saying “the signs are all over here” but “you never see any of them over there,” and the decision to launch the Tet offensive “at the time that we are offering a bombing pause.”¹⁸⁴ The president told his inner circle: “it is like the country lawyer who made the greatest speech of his life but they electrocuted his client. We are just like that now....”¹⁸⁵

Johnson sounded tired and defeated, a man with an already spotty temperament whose foreign policy misgivings meant that Califano’s memo warning of what the Kerner Commission would bring was the last thing he wanted to see on his desk. The meeting minutes indicated Johnson had told his Cabinet, “I sometimes think that we are lonely voices speaking in the wind,” noting that adviser John Kenneth Galbraith had told him that liberalism had “died with President Kennedy.”¹⁸⁶ Johnson continued that Vice President Humphrey had written and “pointed out what this Administration has done, what this social budget means to the American people.”¹⁸⁷ If Lyndon Johnson had soured on Vietnam and how America seemed to “have out shirttails out all around the world,” overcommitted and inundated by proposals on how to fix an unpopular war, he remained both proud and defiant of his domestic record, and was eager to tout it whenever criticism over the war did mount.¹⁸⁸ Johnson made no mention of the forthcoming Kerner Commission report to his Cabinet, but given how mired the Administration was in Vietnam, the commission’s recommendations would seem to him yet another public declaration of what he needed to improve, of criticism for how his Great Society had failed rather than praise for what it had offered. The president did not address the report publicly in February, but as the commission’s press junket commenced and its critiques

¹⁸⁴ *Ibid.*

¹⁸⁵ *Ibid.*

¹⁸⁶ *Ibid.*

¹⁸⁷ *Ibid.*

¹⁸⁸ *Ibid.*

splashed across headlines nationally, he would need to walk a fine line between public praise for the fruits of his own commission's labor and private rage at how it had managed to humiliate him at a moment when he already felt like a political piñata. With the ink dried and the report's Leap Day release in the offing, the final chapter loomed.

March 1968

After seven months of grueling work, President Johnson's National Advisory Commission on Civil Disorders released its full-length report on rioting in American cities in March 1968. National newspapers published a summary text on March 1 before the commission released the report in its entirety on March 3. Amid hundreds of pages, one line seemed to stand out: the observation by the commission that "our nation is moving toward two societies, one black, one white, separate and unequal."¹ Beyond the three-question framework—"What happened? Why did it happen? What can be done to prevent it from happening again?"—and charges of white racism as a primary factor in riots the previous summer, the Kerner Commission had reached a startling and perhaps even more disturbing conclusion: the nation faced divisions that, if not confronted earnestly and properly, risked a path to racial apartheid.

In envisioning such apartheid, the commission feared that beyond the need to understand why riots had occurred and how to prevent them going forward, white America might stop trying to understand altogether, cordoning off its spaces and further isolating black ghettos. The line cut against civil rights progress, harkening back to the 1954 *Brown v. Board of Education* decision that had struck down legal notions of "separate but equal" in schools and insinuating that life in America fourteen years later remained unchanged for many in the black community. The hardback version of the report released by the United States Government Printing Office was 425 pages, while paperback versions ran well over a thousand pages. As those reading the summary or the whole report would find out, the commission had opted for a sobering assessment that did

¹ *Report of the National Advisory Commission on Civil Disorders* (Washington: U.S. Government Printing Office, March 1, 1968), 1.

not feign enthusiasm when laying out the state of race in America. Columnist Carl Rowan observed that the report did not “mince words” nor “reassure racists, comfort bigots or give solace to those who want easy, cheap tranquility.”²

The Kerner Commission framed its final report around President Johnson’s three central questions posed the previous July: “What happened? Why did it happen? What can be done to prevent it from happening again?”³ Each comprised a section of the body of the report; Section I, the “What Happened?” section, contained three chapters; Section II, the “Why Did It Happen?” section, contained six chapters; Section III, the “What Can Be Done?” section, contained eight chapters, the last of which laid out the commission’s “Recommendations for National Action” in employment, education, welfare, and housing in light of its findings.⁴ The 250,000-word report also had a resounding, ambitious introduction and a cautionary conclusion. After the aforementioned “basic conclusion” that America was “moving toward two societies, one black, one white—separate and unequal,” the commission declared that the fallout from riots the previous summer had “quickened the movement and deepened the division,” amplifying discriminatory mechanisms that had “long permeated much of American life; they now threaten the future of every American.”⁵

While much of the thorough report made for difficult and, at times, dull reading, the introduction’s soaring rhetoric and stern assessment of the country’s racial climate grabbed the reader’s attention. “This deepening racial division is not inevitable. The

² Carl Rowan, “No Word Mincing in Report on Urban Riots,” *The Washington Star*, March 1, 1968, “News Clippings,” Box 6, Series 47, Records of the National Advisory Commission on Civil Disorders, Record Group 282, Lyndon B. Johnson Presidential Library, Austin, Texas.

³ *Report of NACCD*, 1.

⁴ *Ibid.*

⁵ *Ibid.*

movement apart can be reversed. Choice is still possible. Our principal task is to define that voice and to press for a national resolution,” the report proclaimed.⁶ If the nation did not act on the commission’s recommendations, the “continuing polarization of the American community” would yield the “destruction of basic democratic values.”⁷ This did not entail “blind repression or capitulation to lawlessness,” as many of the commission’s critics had intimated along the way, but rather the “realization of common opportunities for all within a single society.”⁸ It required “a commitment to national action—compassionate, massive and sustained, backed by the resources of the most powerful and the richest nation on this earth.”⁹ In the same vein, it called on each American citizen to have “new attitudes, new understanding, and, above all, new will” in confronting racial divisions and their perilous consequences.¹⁰ America would face tough decisions, the commission warned—decisions that might require raising taxes. Violence would not “build a better society,” and America could not afford to “tolerate coercion and mob rule.”¹¹

The introduction also spoke to white Americans specifically, stating that most did not fully grasp how “segregation and poverty have created in the racial ghetto a destructive environment.”¹² It followed with another resonant passage: “What white Americans have never fully understood—but what the Negro can never forget—is that white society is deeply implicated in the ghetto. White institutions created it, white

⁶ *Report of NACCD*, 1.

⁷ *Ibid.*

⁸ *Ibid.*

⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² *Ibid.*

institutions maintain it and white society condones it.”¹³ Here, the Kerner Commission introduced another prevailing theme in the report: that white racism played a prominent role in the conditions that had bred inner-city riots and was thus culpable in the disorder that had unfolded. “It is time now to turn with all the purpose at our command to the major unfinished business of this nation,” the commission said, adding that it hoped the nation would “adopt strategies for action that will produce quick and visible progress” and “make good the promises of American democracy to all citizens—urban and rural, white and black, Spanish-surname, American Indian, and every minority group.”¹⁴ Commissioners called for “programs on a scale equal to the dimension of the problems” that sought “high impact in the immediate future in order to close the gap between promise and performance.”¹⁵ They also sought measures that could “change the system of failure and frustration that now dominates the ghetto and weakens our society.”¹⁶ While conceding that programs and recommendations put forth would “require unprecedented levels of funding and performance,” the commission claimed they “neither probe deeper nor demand more than the problems which called them forth” and that there “can be no higher priority for national action and no higher claim on the nation’s conscience.”¹⁷ Acknowledging that “some differences remain” among commissioners, the report ended its introduction with a reminder that the “gravity of the problem and the pressing need for action are too clear to allow further delay in the issuance of this report.”¹⁸

¹³ *Report of NACCD*, 1.

¹⁴ *Ibid.*, 2.

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ *Ibid.*

¹⁸ *Ibid.*

The report's first three chapters—the “What Happened?” section—focused on the riots themselves. After an opening chapter that featured extremely detailed summaries on rioting in Newark, Detroit, and six other cities, Chapter 2 attempted to extract broader trends from the tumult. There was no “typical” riot, according to the report; collectively, riots in the summer of 1967 were “unusual, irregular, complex and unpredictable social processes” that did not “unfold in an orderly sequence.”¹⁹ Broadly, the commission declared, riots involved black Americans “acting against local symbols of white American society, authority and property” in their own neighborhoods more so than “against white persons.”²⁰ Of twenty-four riots in twenty-three cities surveyed by the commission staff, a number of patterns occurred. Riots tended to happen at night in areas that attracted crowds; while a “routine or trivial incident” was often the catalyst for a riot, that incident was typically the “breaking point,” the culmination of “a series of tension-heightening incidents over a period of weeks or months that became linked...with a shared network of underlying grievances” among those in the local black community.²¹ In a number of disturbances classified as “prior” and “final” incidents in instigating riots, police action played a role. Contrary to reports that riot instigators were outside agitators or migrants who had recently moved from the South, the report described the “typical rioter” as a “teenager or young adult, a lifelong resident of the city in which he rioted,” and a “high school dropout” who was still “somewhat better educated than his nonrioting Negro neighbor.”²² He was either underemployed or “employed in a menial job” and

¹⁹ *Report of NACCD*, 3.

²⁰ *Ibid.* The commission mentioned that in a Senate subcommittee study of 75 riots, 83 people were killed—82 percent of them in Newark or Detroit. Ten percent of the victims were “public employees, primarily police and firemen,” while the “overwhelming majority...were Negro civilians.”

²¹ *Ibid.*

²² The commission also found that the majority of rioters were young black males; 53 percent of arrestees were between the age of 15 and 24, while 81 percent were between the ages of 15 and 35. On the question

“proud of his race, extremely hostile to both whites and middle-class Negroes and, although informed about politics, highly distrustful of the political system.”²³ This profile also contradicted the notion that rioters were ignorant slum-dwellers who did not engage with politics and thus did not have any conviction in their actions.

The commission’s second chapter also addressed the grievances and hostility that created riot conditions; it observed that “although almost all cities had some sort of formal grievance mechanism for handling citizens’ complaints,” African Americans regarded the system as “ineffective” and “generally ignored” it.²⁴ Specific grievances varied by city, but among those cities researched, the report listed “12 deeply held grievances identified, ranked into three levels of relative intensity.”²⁵ First-level grievances included police practices, unemployment, and inadequate housing; second-level grievances included inadequate education, subpar recreation programs and facilities, and issues with grievance mechanisms; third-level grievances included white attitudes—deemed disrespectful—a discriminatory administration of justice, flawed federal programs, inadequate municipal services, discriminatory consumer and credit practices, and subpar welfare programs.²⁶ While admitting that the genesis of each disorder varied, the commission reached the broad conclusion that urban conditions “constituted a clear pattern of severe disadvantage for Negroes compared with whites, whether the Negroes lived in the area where the riot took place or outside it.”²⁷ It also found residents to be less educated, likelier to be unemployed, in an unskilled job, or living in poverty, and

of whether many rioters had recently arrived from the South, the report found that in Detroit and Newark, 74 percent of those who rioted were from the North; among those who said they did not participate, 36 percent in Detroit and 52 percent in Newark said they were raised in the North. *Report of NACCD*, 4.

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ *Ibid.*

²⁷ *Ibid.*

more likely to live in “overcrowded” or “substandard” housing unit; a clear discrepancy existed between these conditions and those in white suburbs.²⁸ An examination of the aftermath of riots in particular cities revealed that conditions remained largely unchanged; police received training with more sophisticated weapons—which the commission did not regard as a positive trend—and interracial communication had not improved, increasing the “growth of white segregationist or black separatist groups.”²⁹

Chapter 3 focused on whether or not the riots involved “organized activity” and conspiracy. The commission had conducted its own investigations in some cities and examined “data collected by federal agencies and Congressional committees, including thousands of documents supplied by the Federal Bureau of Investigation.”³⁰ Despite the fact that militant organizations had “repeatedly forecast and called for violence,” fostering an “atmosphere that contributed to the outbreak of disorder,” the report concluded there was “no evidence that all or any of the disorders” unfolded as a result of planning or conspiracy at the “international, national, or local” level.³¹ Acknowledging militant groups as troublemakers while refusing to hold them directly responsible rankled plenty of conservative officials. The report noted the McClellan committee and other groups conducting investigations, and it admitted that the tense racial climate increased the likelihood of “organized exploitation in the future” and needed monitoring; but it did not expand further.³²

The report’s fourth chapter, titled “Basic Causes,” began Section II. After conceding that “complex and interacting” factors that “vary significantly” between cities

²⁸ *Report of NACCD*, 4.

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ *Ibid.*, 5.

³² *Ibid.*

and time periods bred riot conditions, the chapter parsed out some fundamental truths that applied to all riots.³³ Specifically, “the racial attitude and behavior of white Americans toward black Americans,” it stated, served as a fundamental cause.³⁴ The chapter observed that white racism was “essentially responsible for the explosive mixture which has been accumulating in our cities since the end of World War II.”³⁵ The mixture’s ingredients included “three of the most bitter fruits of white racial attitudes”: discrimination in employment, education and housing; white flight amid a massive influx of African Americans to urban centers; a culture of poverty that created a downward spiral of failure and lingering resentment in ghettos.³⁶ As these factors “converged on the inner city in recent years,” many in the white suburbs and wealthier African Americans had “prospered to a degree unparalleled in the history of civilization.”³⁷ To make matters worse, the affluent society was “endlessly flaunted” before ghetto residents.³⁸ The chapter also cited more recent factors, including an assertion that civil rights victories had only exacerbated the problems that remained and that “frustrated hopes are the residue of unfulfilled expectations.”³⁹ When state and local officials defied Federal authority on civil rights and did little to deter violence against civil rights activists, the report stated, more and more African Americans came to believe there was “no effective alternative to violence as a means of achieving redress of grievances and of ‘moving the system.’”⁴⁰ This fury sparked the Black Power movement. Police

³³ *Report of NACCD*, 5.

³⁴ *Ibid.*

³⁵ Other than the “two societies” line, this was one of the most frequently quoted lines by newspapers upon release of the report’s summary. *Ibid.*

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ *Ibid.*

³⁹ *Ibid.*

⁴⁰ *Ibid.*

represented “white power, white racism, and white repression,” a symbol of both the torpor in addressing civil rights and the racial double standard that existed in administering justice.⁴¹ Now that the Kerner Commission had identified the factors that spawned violence, it sought to “analyze them in the perspective of history.”⁴²

The report’s “historical sketch” of black American protest asserted that riots were “embedded in a tangle of issues and circumstances—social, economic, political and psychological—that arose out of the pattern of Negro-white relations in America.”⁴³ Chapter 5 profiled the struggle, from the institution of slavery to a century plagued by white violence against black activism thereafter; it also traced the forms black protest took—“accommodation, separatism, and self-help,” among others—and connected them to contemporary strains of Black Power thought.⁴⁴ In fact, the Kerner Commission argued, the Black Power movement was not as radical as its followers thought; by eliding a “direct confrontation with American society on the issue of integration and, by preaching separatism,” Black Power proponents “unconsciously function as an accommodation to white racism.”⁴⁵ Furthermore, their philosophy, grounded in a clear-eyed portrayal of black history, racial uplift, and removing themselves from the white society that had oppressed them, was “reminiscent of Booker T. Washington,” the report said.⁴⁶

The report also surveyed how inner-city, largely black neighborhoods became spaces prone to rioting. Chapter 6, titled “Formation of the Racial Ghettos,” pointed to

⁴¹ *Report of NACCD*, 5.

⁴² *Ibid.*

⁴³ *Ibid.*

⁴⁴ *Ibid.*, 6.

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

the Great Migration as a catalyst for dire conditions in northern cities; African Americans who moved northward and westward to escape the Jim Crow South encountered similar hostility from white locals.⁴⁷ In 1910, 91 percent of the nearly 10 million African Americans lived in the South; by 1966, when the black population had more than doubled, the “number living in metropolitan areas rose more than fivefold (from 2.6 million to 14.8 million)” and the “number living outside the South rose elevenfold (from 880,000 to 9.7 million).”⁴⁸ As the urban black population grew in cities, white flight continued—the report noted that since 1960, the white urban population had decreased by 1.3 million people nationally. Furthermore, compiled data found that the nation’s twelve largest cities had two-thirds of the black population outside the South and one-third of the entire black American population. Just as whites had excluded blacks from entering “their spaces” by residential segregation, they were also fleeing “neighborhoods where Negroes are moving or already residing” in droves.⁴⁹ When white families refused to move into “changing areas when ‘vacancies’ occur,” the report noted, black families tended to fill those vacancies, which only worsened residential segregation.⁵⁰ The commission cited a recent study that classified the “average segregation index” of 207 of America’s largest cities as 86.2, meaning that “to create an unsegregated population distribution, an average of over 86 percent of all Negroes would have to change their place of residence within the city.”⁵¹

Building off the pattern of residential segregation, the report’s seventh chapter detailed the specific issues that had plagued ghettos for decades. Commissioners

⁴⁷ *Report of NACCD*, 6.

⁴⁸ *Ibid.*

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

estimated that 16 to 20 percent of all African Americans—or between two and two-and-a-half million people—lived in “squalor and deprivation in ghetto neighborhoods.”⁵² The black unemployment rate was more than double that of the white unemployment rate in 1967; black males were “more than three times as likely as white men” to work in “low-paying, unskilled or service jobs.”⁵³ The commission identified this as the most pivotal source of poverty in ghettoes. Compounding the employment issue was the steady arrival of migrants from the South who sought jobs and a better life but in the process made the poverty issue worse. In 1966, 11.9 percent of white Americans but 40.6 percent of nonwhites lived below the poverty level defined by the Social Security Administration; of those nonwhites living in poverty, 40 percent lived in central cities.⁵⁴ Employment issues had a trickle-down effect on family structures, according to the report; job problems resulted in men “unable or unwilling to remain with their families,” which created a “handicap imposed on children growing up without fathers in an atmosphere of poverty and deprivation” with single mothers “forced to work to provide support.”⁵⁵ The subsequent “culture of poverty” created a “system of ruthless, exploitative relationships within the ghetto,” defined by crime, drug addiction, prostitution, and other factors that were exceedingly difficult to overcome and only ripened conditions for civil disorder.⁵⁶

Chapter 8, titled “Conditions of Life in the Racial Ghetto,” offered evidence of the havoc wrought by life in the slums. The crime rate was much higher—the report used one city as an example and said “one low-income Negro district had 35 times as many

⁵² *Report of NACCD*, 6.

⁵³ *Ibid.*

⁵⁴ The SSA defined the poverty line as an income of \$3335 per year for an urban family of four. *Ibid.*, 7.

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*

crimes against persons as did a high-income white district.”⁵⁷ A dim forecast surmised that crime would only get worse with an expanding ghetto population that would “outstrip police resources.”⁵⁸ Additionally, substandard living conditions and sanitation spurred higher rates of disease and mortality and inferior medical care. The report noted the alarming statistic that the infant mortality rate for nonwhite babies less than a month old was “58 percent higher than for whites; for one to 12 months it is almost three times as high.”⁵⁹ Life in the ghetto meant fewer times for garbage collection and exploitation from local merchants. Through the spine of the Kerner Commission’s report, its authors filled out the harrowing portrait of ghetto life.

Making this portrait even more disheartening was the contrast between the experience of black Americans and earlier European immigrants; this contrast was the subject of the report’s ninth chapter. In addition to black migrants failing to find the same unskilled labor positions their European counterparts had upon arrival, the commission pointed to a “structure of discrimination” that “stringently narrowed opportunities for the Negro and restricted his prospects.”⁶⁰ European immigrants encountered discrimination initially but “never so pervasively”; these immigrants also allied with urban political machines that “enabled [them] to make [their] voice heard and [their] power felt.”⁶¹ African Americans, meanwhile, failed to enter into these political machines for a variety of reasons. While discrimination precluded black males from moving upward, immigrants had the opportunity for a “vision of the future—one that led to a life outside

⁵⁷ *Report of NACCD*, 7.

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*

⁶⁰ *Ibid.*

⁶¹ *Ibid.*

the ghetto,” that provided the “incentive necessary to endure the present.”⁶²

Discrimination barred African Americans from realizing that vision; segregation “denied Negroes access to good jobs and the opportunity to leave the ghetto...the future seemed to lead only to a dead end.”⁶³ This disparate experience not only allowed European immigrants to “exaggerate how well and quickly they escaped from poverty,” it also allowed them to pin the blame on African Americans for not working hard enough to get ahead, setting up an entire framework that posited that black America’s problems of the ghetto were problems of their own making.⁶⁴ The report noted that although some African Americans had escaped poverty, “few have been able to escape the urban ghetto.”⁶⁵

The report’s third and final section, “What Can Be Done?” began with a profile of how communities responded to ghetto grievances. Chapter 10 commenced with the assertion that “every major episode of violence was foreshadowed by an accumulation of unresolved grievances and by widespread dissatisfaction among Negroes with the unwillingness and inability of local government to respond.”⁶⁶ It called upon city governments to “improve their capacity to respond effectively to community needs before they become community grievances” while allowing residents to have a say in “shaping programs and policies which affect the community.”⁶⁷ Official recommendations included forming neighborhood task forces, creating more robust grievance mechanisms, establishing neighborhood outlets for administrative and public

⁶² *Report of NACCD*, 7.

⁶³ *Ibid.*

⁶⁴ *Ibid.*

⁶⁵ *Ibid.*

⁶⁶ *Ibid.*, 8.

⁶⁷ *Ibid.*

service agencies at all levels, and the aforementioned move of giving affected residents a more prominent voice. In this endeavor, city governments needed the full support of state and federal authorities.⁶⁸ As Chapter 11 outlined, ghetto communities also needed to improve relationships with law enforcement; the commission placed the onus in this regard on the cops. “The abrasive relationship between the police and the ghetto community has been a major—and expensive—source of grievance, tension, and disorder,” the report said.⁶⁹ While acknowledging the bravery and service of officers, the commission noted that “aggressive patrol practices” did little to diffuse tension; the police-community relationship also suffered from the “lack of effective mechanisms for handling complaints against the police.”⁷⁰ Police needed to improve their tactics, which started with reviewing police behavior to ensure “proper conduct by officers” in slums.⁷¹ Officers also needed to disprove to ghetto residents the “existence of a dual standard of law enforcement” based on race, a reputed double standard that the commission believed had merit.⁷² Departments needed “fair and effective mechanisms for redress of grievances against police,” more stringent policy guidelines in directing officers how to avoid tension in slums, programs that would address trust issues between the community and

⁶⁸ Specifically, the report called for financial assistance from state and federal levels to help cities “respond effectively to Federal program initiatives” and for state cooperation in “providing municipalities with the jurisdictional tools needed to deal with their problems,” including a “fuller measure of financial aid to urban areas” and an earnest effort from the suburbs to address the “physical, social and cultural environment of the central city.” *Report of NACCD*, 8.

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*

⁷¹ *Ibid.*

⁷² *Ibid.*

officers, more African American officers recruited to the force, and fair promotion for those officers who did protect and serve.⁷³

Avoiding disorder, however, was a mutual initiative; it did not depend solely on police officers—public officials also needed to play an active role. Chapter 12, “Control of Disorder,” made a number of recommendations to “preserve peace and rule of law” and “maintain control of incidents which would lead to disorders.”⁷⁴ These included having veteran officers patrol inner-city neighborhoods, offering special riot control training, constructing intelligence systems to use “reliable information that may help to prevent outbreak of disorder,” avoid using lethal weapons in controlling disorder, and ensuring that communications systems could “collect and evaluate rumors that may lead to civil disorder.”⁷⁵ Commissioners wanted the federal government to share the burden for “financing programs for improvement of police forces”; the report also featured a supplemental section on riot control that evaluated police, National Guard, and Army troops, their capabilities to respond to riots, and suggestions for how they could coordinate to respond more effectively.⁷⁶ In the chaos of disorder, Chapter 13 noted that many cities “had breakdowns in mechanisms for processing, prosecuting, and protecting arrested persons” due to “structural deficiencies in criminal court systems” and the “failure of communities to anticipate and plan for emergency demands of civil

⁷³ The report proposed a “community service officer” program whereby black teenagers would “perform duties in ghetto neighborhoods” with an eye toward “full police authority” when they were older and had received the proper training. *Report of NACCD*, 8.

⁷⁴ *Ibid.*

⁷⁵ On the matter of lethal weapons in police hands, the commission “condemn[ed] moves to equip police departments with mass destruction weapons, such as automatic rifles, machine guns and tanks,” which it said “have no place in densely populated urban communities” and would only make riot conditions worse. *Ibid.*, 9.

⁷⁶ *Ibid.*

disorders.”⁷⁷ The commission wanted to better the criminal justice system during rioting “so that its deliberative functions are protected, and the quality of justice is maintained.”⁷⁸ Beyond laws “sufficient to deter and punish riot conduct,” the commission wanted procedures in place that separated “minor offenders from those dangerous to the community in order that serious offenders may be detained and prosecuted effectively.”⁷⁹

After a brief chapter that recommended how to assess and compensate for damages in the aftermath of riots, which recommended the federal government “permit Federal emergency food and medical assistance to cities during major civil disorders” as well as providing more incentive for private insurers to offer coverage in high-risk areas, the report moved to its assessment of news media during the riots.⁸⁰ While the report commended the press on the whole for offering a “balanced, factual account of the 1967 disorders” in its newspaper, radio, and television coverage, it had criticisms related to how the press captured the areas where riots occurred and the urban poor who lived in those areas.⁸¹ The media, according to Chapter 15, had failed to “report adequately on causes and consequences of civil disorders and on underlying problems of race relations.”⁸² To the extent that white Americans did not understand the “degradation, misery and hopelessness of life in the ghetto,” it was the media’s job to inform them; on this score, said the Kerner Commission, the media had failed.⁸³ The report recommended

⁷⁷ *Report of NACCD*, 9.

⁷⁸ *Ibid.*

⁷⁹ The chapter, titled “Administration of Justice Under Emergency Conditions,” also included hiring “additional judges, bail and probation officers, and clerical staff,” as well as instituting “policies to insure proper and individual bail, arraignment, pretrial, trial and sentencing proceedings.” *Ibid.*

⁸⁰ Chapter 14, called “Damages: Repair and Compensation,” also endorsed the findings of the National Advisory Panel on Insurance in Riot-Affected Areas. *Ibid.*

⁸¹ At the same time, the report did say some outlets were guilty of an “exaggeration of both mood and event” in chronicling the disorders. *Ibid.*

⁸² *Ibid.*, 10.

⁸³ *Report of NACCD*, 10.

that reporters more “familiar with urban and racial affairs” and with “better links with the Negro community” report on those communities; newspapers and television needed to report on black communities beyond violence, depicting them as “a group within the community and as a part of the larger community.”⁸⁴ Doing so would require recruiting more African Americans into journalism at the high school and college levels and solidifying guidelines for “accurate and responsible reporting of riot and racial news.”⁸⁵ Those white journalists ill-equipped to report on these issues needed training and education for responsible reporting, which would also help improve the relationship between police and the press if future riots occurred.

In its penultimate chapter, the commission foresaw a bleak future for American cities if demographic trends persisted. The commission estimated that by the year 1985, the black population in inner cities would grow up 20.8 million, or 72 percent; when combined with the “contained exodus of white families to the suburbs,” a recipe existed that could make American cities even more treacherous.⁸⁶ An influx of poor black Americans into areas that already had meager tax bases and high rates of unemployment spelled trouble. Commissioners offered three options for the nation: continue the flawed present course, choose the “enrichment” route, which entailed “improving dramatically the quality of ghetto life while abandoning integration as a goal,” and, lastly, focusing on integration by “combining ghetto ‘enrichment’ with policies which will encourage Negro movement out of central city areas.”⁸⁷ The current rate would “make permanent the

⁸⁴ *Ibid.* As commentator Donald Jackson observed in *Life*, the report aptly noted that the press “acts and talks about Negroes as if Negroes do not read the newspapers or watch TV, give birth, marry, die, and go to PTA meetings.” Donald Jackson, “Racism, Not Poverty or Cynicism, Caused the Riots,” *Life*, Mar. 8, 1968, 97 “Life,” Box 3, Series 26, NACCD, RG 282, LBJ Library, Austin, TX.

⁸⁵ *Ibid.*

⁸⁶ *Ibid.*, 98.

⁸⁷ *Report of NACCD*, 11.

division of our country into two societies,” while the “enrichment” plan was “another way of choosing a permanently divided country.”⁸⁸ The chapter said that the third choice—improving quality of urban life while stimulating “programs designed to encourage integration of substantial numbers of Negroes into the society outside the ghetto,” was the most desirable.⁸⁹ It would not abandon integration, but it would also recognize that “no matter how ambitious or energetic the program, few Negroes now living in central cities can be quickly integrated.”⁹⁰ All of this, commissioners noted, could only serve as a temporary solution, for the broader goals needed to allow for “substantial Negro movement out of the ghettos” with the goal of achieving a “single society, in which every citizen will be free to live and work according to his capabilities and desires, not his color.”⁹¹

With this goal of a “true union—a single society and a single American identity” in mind, the Kerner Commission presented its seventeenth and final chapter, titled “Recommendations for National Action.”⁹² Declaring that “No American—white or black—can escape the consequences of the continuing social and economic decay of our major cities,” the commission laid out a comprehensive plan “on an unprecedented scale” that it believed could “shape a future compatible with the historic ideals of American society.”⁹³ The plan would rely on “the great productivity of our economy” and require the need to “generate new will—the will to tax ourselves to the extent necessary to meet

⁸⁸ *Ibid.*

⁸⁹ *Ibid.*

⁹⁰ *Ibid.*

⁹¹ *Ibid.*

⁹² *Ibid.* The commission even invoked Abraham Lincoln, comparing how he “put preservation of the Union above all else” when discussing the goal of a “single society.”

⁹³ *Ibid.*

the vital needs of the nation.”⁹⁴ Broadly, Chapter 17’s introduction had three objectives: creating changes for those affected by racial discrimination by eradicating barriers related to jobs, education, and housing; combatting the helpless feeling of ghetto residents by offering “means for them to deal with the problems that affect their own lives” and by “increasing the capacity of our public and private institutions to respond to these problems”; using improved interracial communication to “destroy stereotypes...halt polarization, end distrust and hostility and create common ground for efforts toward public order and social justice.”⁹⁵

These objectives were admirable, but they were also vague. The commission expanded on them by offering tailored recommendations for employment, education, welfare, and housing. In the “Employment” section, the commissioners classified unemployment and underemployment as “the most persistent and serious grievances in the Negro ghetto.”⁹⁶ They focused specifically on the “hard-core unemployed” in central cities, those African American males ages 18 to 25 who had neither a steady job nor the education and skills necessary to acquire one.⁹⁷ African Americans were three times as likely to hold unskilled, “dead end” jobs as white Americans; when measuring the demographics of the “hard-core unemployed” against the profile of the typical urban rioter, the commission noted the overlap.⁹⁸ The commission wanted the Federal Government to “take immediate action to create two million new jobs over the next three years—one million in the public sector and one million in the private sector—to absorb

⁹⁴ *Report of NACCD*, 11.

⁹⁵ *Ibid.*

⁹⁶ *Ibid.*

⁹⁷ *Ibid.*

⁹⁸ According to the report, more than 20 percent of identified rioters were unemployed, while many more worked low-paying, “dead end” jobs. *Ibid.*

the hard-core unemployed and materially reduce the level of underemployment for all workers, black and white.”⁹⁹ The plan called for 550,000 new jobs within the first year. Commissioners also proposed job training from the public and private sectors that would reimburse private employers for the cost as well as tax incentives for those investing in “rural as well as urban poverty areas in order to offer to the rural poor an alternative to migration to urban centers.”¹⁰⁰ Employers also needed to “remove artificial barriers” that hindered employment, including “not only racial discrimination, but, in certain cases, arrest records or lack of a high school diploma.”¹⁰¹ Fighting racism in this arena meant strengthening the Equal Employment Opportunity Commission and supporting Title VI of the 1964 Civil Rights Act.¹⁰² The commission complimented those who had already taken steps to address issues of race, discrimination, and employment but provided no cost estimates on its job programs and proposals.

Turning to education, the commission argued that for “many minorities, and particularly for the children of the ghetto, the schools have failed to provide the educational experience which could overcome the effects of discrimination and deprivation,” resulting in lingering resentment and frustration in black communities.¹⁰³ The correlation between “ghetto youth who have not completed high school” and the “high incidence of riot participation,” commissioners argued, constituted “dramatic evidence of the relationship between education practices and civil disorders.”¹⁰⁴ Substandard school systems created the “high unemployment and underemployment rate”

⁹⁹ *Report of NACCD*, 11.

¹⁰⁰ *Ibid.*

¹⁰¹ *Ibid.*

¹⁰² Title VI allowed “Federal grant-in-aid funds to be withheld from activities which discriminate on grounds of color or race.” *Ibid.*

¹⁰³ *Ibid.*

¹⁰⁴ *Ibid.*, 12.

and advanced the “consequences of racial isolation at all levels...produced by three centuries of myth, ignorance and bias.”¹⁰⁵ Integrated schools were “essential to the future of American society,” though the report conceded that current demographics made this goal unattainable for many schoolchildren.¹⁰⁶ “If existing disadvantages are not to be perpetuated, we must drastically improve the quality of ghetto education,” the report stated, adding that striving for “equality of results with all-white schools must be the goal.”¹⁰⁷ The commission wanted “sharply increased efforts to eliminate de facto segregation in our schools,” which it believed required “Federal aid to school systems seeking to desegregate” and an earnest application of the aforementioned Title VI of the Civil Rights Act to counter lingering racial discrimination in all regions of the United States.¹⁰⁸ At-risk schoolchildren needed better education earlier in their lives, which necessitated “substantial Federal funding of year-round quality compensatory education programs, improved teaching, and expanded experimentation and research.”¹⁰⁹ The commission also wanted literacy programs for adults with the help of Federal support and more opportunities for parents to link themselves with school communities; it wanted the Federal government to provide more avenues for at-risk students to pursue higher education, and assurance that states would revise “per student” formulas when providing funding to districts with a “high-proportion” of disadvantaged students.¹¹⁰ Again commissioners wanted the federal government to play a prominent role in implementing recommendations, and again they offered no cost estimates for their sweeping proposals.

¹⁰⁵ *Report of NACCD*, 12.

¹⁰⁶ *Ibid.*

¹⁰⁷ *Ibid.*

¹⁰⁸ *Ibid.*

¹⁰⁹ *Ibid.*

¹¹⁰ *Ibid.*

The commission next set its sights on recommendations for improving the welfare system. It identified two “critical deficiencies” with the system: first, that it “excludes large numbers of persons who are in great need” who “if provided a decent level of support, might be able to become productive and self-sufficient.”¹¹¹ Specifically, the commission referred to the poor who were not old, handicapped, or parents. Second, those who did qualify received assistance “well below the minimum necessary for a decent level existence,” encouraging “continued dependency on welfare and undermin[ing] self-respect.”¹¹² As currently constituted, the commission claimed, welfare made its recipients feel “untrustworthy, promiscuous, and lazy.”¹¹³ Reform recommendations included rejiggering “national standards of assistance” so that they matched the poverty level, defined by the Social Security Administration as \$3,335 per year for an urban family of four; taking on a “substantially greater portion of all welfare costs—at least 90 per cent of total payments”; removing “restrictions that would compel mothers of young children to work,” recently passed by Congress; and eradicating residency requirements, among other suggestions.¹¹⁴ In the long term, the federal government needed to “develop a national system of income supplementation based strictly on need with two broad and basic purposes.”¹¹⁵ The first sought to offer “any necessary supplements in such a way as to develop incentives for fuller employment,” while the second would aim to provide for “those who cannot work and for mothers who decide to remain with their children, a minimum standard of decent living, and aid in

¹¹¹ *Report of NACCD*, 12.

¹¹² *Ibid.*

¹¹³ The commission referenced residency requirements, which prohibited assistance to those who had recently moved to a given state, and incremental searches of homes, which was an invasion of privacy, as examples of patronizing, misguided elements of the system. *Ibid.*

¹¹⁴ *Ibid.*

¹¹⁵ *Ibid.*

saving children from the prison of poverty that has held their parents.”¹¹⁶ While admitting this would all entail “substantially greater Federal expenditures” than ever before, the ultimate goal would be breaking the cycle of poverty and ensuing spiral of despair.¹¹⁷

The final section of recommendations focused on housing. Commissioners attributed the “nearly six million substandard housing units” in the country, many of which were in poor, black neighborhoods, to increased rent and discrimination in areas outside the ghetto.¹¹⁸ Noting that federal programs had done “comparatively little to provide housing for the disadvantaged” in the history of subsidized federal housing, the commission championed housing programs that would topple “prevailing patterns of racial segregation” and require help from the private sector.¹¹⁹ First and foremost, the commission recommended a “comprehensive and enforceable” federal open housing law that would combat residential segregation.¹²⁰ It also sought programs that would build more public housing outside of the ghetto and the construction of “six million new and existing units of decent housing” through 1972, beginning with 600,000 units in the next twelve months.¹²¹ This ambitious number would require “expansion and modification” to the rent supplement program to existing housing, creating an ownership supplement program structure “to make home ownership possible for low-income families,” growing the public housing and model cities programs, respectively, and an “expansion and

¹¹⁶ *Report of NACCD*, 13.

¹¹⁷ *Ibid.*

¹¹⁸ *Ibid.*

¹¹⁹ The report stated that if patterns of housing segregation were not confronted, programs would “continue to concentrate the most impoverished and dependent segments of the population into the central-city ghettos where there is already a critical gap between the needs of the population and the public resources to deal with them.” *Ibid.*

¹²⁰ *Ibid.*

¹²¹ *Ibid.*

reorientation” of urban renewal that prioritized “projects directly assisting low-income households to obtain adequate housing.”¹²²

The commission’s brief conclusion to its massive report cited veteran psychologist Kenneth Clark, who had testified before commissioners the previous fall. Clark said that when he read a report chronicling the 1919 riot in Chicago, “it is as if I were reading the report of the investigating committee on the Harlem riot of ’35, the report of the investigating committee on the Harlem riot of ’43, the reports of the McCone Commission on the Watts riot.”¹²³ With this in mind, Clark told the commission “in candor” that it “is a kind of Alice in Wonderland—with the same moving picture reshown over and over again, the same analysis, the same recommendations, and the same inaction.”¹²⁴ His message to the commission here was clear: do not let your hard work become another impotent, dust-collecting report. While the commission said it had “provided an honest beginning” and “learned much,” it also admitted it had “uncovered no startling truths, no unique insights, no simple solutions.”¹²⁵ In portraying extensively the “destruction and the bitterness of racial disorder, the harsh polemics of black revolt and white repression,” the Kerner Commission portrayed what had been “seen and heard before in this country.”¹²⁶ Its closing sentence declared it was “time now to end the destruction and the violence, not only in the streets of the ghetto but in the lives of people.”¹²⁷ With this peaceful message, the eleven commissioners rested their case for a comprehensive, national call to action.

¹²² *Report of NACCD*, 13.

¹²³ *Ibid.*

¹²⁴ *Ibid.*

¹²⁵ *Ibid.*

¹²⁶ *Ibid.*

¹²⁷ *Ibid.*

Immediately, the Kerner Commission's report vaulted to the top of the news and became a national conversation. Reaction from public officials and media outlets came swiftly. The commission's gambit to secure extensive coverage of the report upon release meant that discussion of its conclusions and consequences for the nation was everywhere in the first weekend in March. Journalist Jack Gould observed that the blanket coverage was "an exceedingly rare demonstration...of coverage on a social issue," and that television "was able to go behind the pages of the report and visually show the conditions and moods that prompted the commission report's tone of urgency before the advent of summer."¹²⁸ From the outset, editorial pages in newspapers across the country praised the report. "The report of the Riot Commission splits the darkness like a flash of lightning," *The Washington Post* proclaimed, a "distinguished, powerful and potentially useful document not because it presents any startling revelations or novel solutions but because it tells the truth with stark candor" of the "hideous cancer of racial discrimination and injustice."¹²⁹ The commission's report, said *The Baltimore Sun*, "calls for a great deal more than a mere nod of the head...It demands a grasp of the full breadth of the ferment which explodes into riots...a clear knowledge of the harsh facts of racial discrimination."¹³⁰ The *Chicago Daily News* extended congratulations to "the commission and its chairman for having the wisdom to grasp the heart of the problem and

¹²⁸ Gould added that the coverage helped "bring the racial issue into unusually sharp focus" and "may have taken an affirmative step yesterday toward a widening dialogue in the mass media. How the dialogue is to be sustained and implemented is the more difficult problem for tomorrow." Jack Gould, "TV: The Report on Civil Disorders," *The New York Times*, Mar. 5, 1968, "News Clippings," Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

¹²⁹ "Riot Report," *The Washington Post*, Mar. 1, 1968, "Reaction: Post-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹³⁰ "Facing the Facts," *The Baltimore Sun*, Mar. 2, 1968, "Reaction: Post-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

the courage to expose it to view...the prejudice that grips the white community.”¹³¹ The editorial staff at the *Los Angeles Times* requested that “every American must become aware of this challenge to our national survival...the commission report should be read and re-read by the President and every candidate for his office, every governor, and every mayor of every city where bigotry and poverty exist.”¹³²

Interviews indicated that the leading commissioners themselves were at peace with the forceful, alarming document they had authored. Writing to Chairman Otto Kerner, commissioner Fred Harris said, “I believe that in the years to come all of us who were connected with the National Advisory Commission on Civil Disorders will look back on it with pride as one of the high points of each of our lives.”¹³³ In response to the commission’s broader findings, Harris said that while commissioners “all knew these things intellectually,” serving on the commission made them “feel it in the pit of our stomachs” and feel obligated to “tell it like it is” to the American people—to “see this as we did”—even if that sight made millions uncomfortable.¹³⁴ The report, Harris said, needed to be “tough for everyone to live with—tough for Senators, Mayors, labor leaders,

¹³¹ “Straight Talk on Racism,” *Chicago Daily News*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹³² “The Survival of a Nation,” *Los Angeles Times*, Mar. 3, 1968, “3/22/68-3/27/68,” Box 388, FG 690, National Advisory Commission on Civil Disorders, White House Central Files, LBJ Library, Austin, TX.

¹³³ Fred Harris to Otto Kerner, Mar. 4, 1968, Abraham Lincoln Presidential Library, Springfield, IL. John Lindsay would write to Kerner the following week, telling me that “in 11 years of public life, with various experiences on Congressional committees, in governmental groups, and various commissions in New York, I have never worked with a group who were as committed and as concerned as you were as a member of the President’s Commission on Civil Disorders.” The disagreements were “honest ones,” Lindsay wrote, and the subsequent debate “contributed to the report.” John Lindsay to Otto Kerner, Mar. 12, 1968, Lincoln Library, Springfield, IL. James Corman wrote to Kerner: “at a critical moment in American history we had the opportunity to act as a unique jury. Our verdict was fundamentally sound.” James Corman to Otto Kerner, Mar. 12, 1968, Lincoln Library, Springfield, IL.

¹³⁴ William J. Eaton, “Bluntness of Riot Report Jolts Congress,” *Chicago Daily News*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

businessmen and police.”¹³⁵ Months and months of research, testimony, and closed-door discussion yielded “no easy answers.”¹³⁶ He was optimistic, given that many of the proposals were “currently in the legislative mill,” but on ABC’s *Issues and Answers*, Harris also noted that the Kerner Commission’s proposals were primarily “not a program of legislation or money, but of will.”¹³⁷ Changes in attitudes needed to accompany changes in policy. Harris recognized that tangible change would be as complex as the process of diagnosing the problems, but he remained clear-eyed and optimistic that workable solutions existed in the report; it was now a matter of putting the issues before the public and framing the broader solutions as both political and moral imperatives.

In an interview with the *Chicago Daily News*, Kerner described the creation of the report as “very fatiguing.”¹³⁸ Speaking from his suite in the Washington Hilton as he smoked a cigarette, the Illinois Governor continued:

I thought I knew the problem fairly well, but I certainly was not aware of the depth and breadth of it. For one thing, I became aware that it is not only color that prevents the Negroes from developing in our society. It is as much the educational barriers, the manner in which he is forced to live. The Negro has never been able to develop the work habits of the white community for these reasons....The report contains only facts as to why the riots happened. They are not incontrovertible. We may not like the facts, but they are facts and have to be accepted.¹³⁹

¹³⁵ John Herbers, “Congress Dispute Rises Over the Proposals,” *The New York Times*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹³⁶ “Kerner Panel Report Stirs Reservations,” *The Washington Post*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹³⁷ “City-Riot Data Viewed as Spur to Reform Bills,” *The Philadelphia Inquirer*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX. “Can’t Effect All of Plan, Kerner Says,” *Chicago Tribune*, Mar. 4, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹³⁸ Betty Flynn, “Kerner Reviews Tiring Task,” *Chicago Daily News*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹³⁹ *Ibid.*

Kerner admitted that the commission was also “an education for himself,” inspiring him to read Booker T. Washington, Marcus Garvey, and W.E.B. DuBois late into the night.¹⁴⁰ White America did not have “any conception of conditions in the ghettos....if they did, they would understand, why the frustration, why the high emotions,” he said.¹⁴¹ What if they did not like the answers provided? “Facts are facts,” Kerner said, adding that the “only thing you can say to persons who have their mind made up is that they should consider the facts, that they should try to place themselves in the subjective position of the person who lives in the ghetto.”¹⁴² Asked what would happen now that America could read his commission’s conclusions, the chairman predicted that one of three things would happen: the American public would either accept the report and not act on it, accept it and take action, or embrace the “gap between black and white, thus leading to two separate societies.”¹⁴³ Kerner hoped America would choose the second option, stating it “aims at achieving the ideals and philosophy always stated as that of the United States of America.”¹⁴⁴ Ultimately, he had faith in the American people to embrace this option, he said, because if “American people know what the facts are, know what the situation is, they always rise to the occasion. I am confident they will in this instance too.”¹⁴⁵ The reporter noted that Kerner had notes of optimism in his voice, his tone was grave, and he trailed off a few times when considering the consequences of ignoring the report. Like Harris, Kerner suggested that urban issues needed to receive as much attention as the Vietnam War. Appearing on the same program as Harris and Wilkins, journalists pressed

¹⁴⁰ Flynn, “Kerner Reviews Tiring Task,” *Chicago Daily News*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴¹ *Ibid.*

¹⁴² *Ibid.*

¹⁴³ *Ibid.*

¹⁴⁴ *Ibid.*

¹⁴⁵ *Ibid.*

Kerner on the cost and scope of the proposals. He replied that the commission “could not possibly implement” all recommendations and that it was “quite impossible” to determine the cost because “these are the decisions that must be made by the executive and members of Congress.”¹⁴⁶

Kerner expressed genuine hope that Congress, President Johnson, and the broader public would heed the commission’s recommendations, but he also tempered his statements with the realism of a seasoned, jaded politician; the commission would not succeed on all scores, but it needed to succeed on at least some of them. Furthermore, the dialogue surrounding the report, a dialogue that entailed the realization and acknowledgement of American racial problems and how they fostered rioting, would in itself be a worthwhile exercise. If the nation could not implement everything in the report, perhaps citizens could at least read an honest assessment and have an honest discussion about the issues with the goal of trying to follow recommendations in the future. Simply recognizing the level of racism and plight of the black poor in America, after all, would not cost a dollar.

In his own public statements, Vice Chairman John Lindsay was not quite as conciliatory in this regard. On CBS’s *Face the Nation*, Lindsay said that though the proposals “undoubtedly will be costly, Americans have risen to challenges before. Congress must lead, and the people must push the Congress; both must happen. Unless it happens, we’re in for trouble.”¹⁴⁷ The New York mayor also called upon individual commissioners to fight for their work and “make as much of an impact as possible” to

¹⁴⁶ “Can’t Effect All of Plan, Kerner Says,” *Chicago Tribune*, Mar. 4, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴⁷ “7 Mayors Uphold Report on Riots; Seek More Funds,” *The New York Times*, Mar. 4, 1968, 1; “Can’t Effect All of Plan, Kerner Says,” *Chicago Tribune*, Mar. 4, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

“excite the people about the dimensions of this problem.”¹⁴⁸ Lindsay did not emphasize the common ground between the commission’s proposals and those already before Congress or in the Great Society; he also refused to answer a question about the connection between expenses on urban issues and the Vietnam War and, as a White House aide noted, “passed up chances” to criticize President Johnson personally.¹⁴⁹ Ultimately, this reticence would prove to be short-lived. As was the case through much of the commission’s investigation, Lindsay was not quite as diplomatic as many of his colleagues, and he saw no issue with challenging other officials and traversing what he viewed as lip service in the name of attaining objectives. “I’ve never seen in history where progress was not served by honesty,” Lindsay said, proclaiming the report was the Kerner Commission saying, “for heaven’s sake, put this up on the front burners of the stove, this crisis which is affecting our cities.”¹⁵⁰

Commissioner Roy Wilkins, who also appeared on *Issues and Answers*, was proud and elated at the report’s release. “It’s a good report; if I wasn’t so modest I’d say it was an excellent report,” he said.¹⁵¹ Wilkins labeled the commission’s report as unique in that for the “first time in any report, it points to racism in American life, all through American life...as a basic cause of the attitudes which can lead to riot.”¹⁵² He hoped it could assist in program proposals already before Congress and pledged that the report

¹⁴⁸ Seth S. King, “Lindsay Asks Aid on Riot Program,” *The New York Times*, Mar. 6, 1968, 22L.

¹⁴⁹ Bob Fleming to Lyndon B. Johnson, Mar. 4, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

¹⁵⁰ Owen Fitzgerald, “Lindsay Opens Drive for Racial Harmony,” *New York Daily News*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵¹ Sidney Zion, “Rights Leaders Support Criticism of Whites,” *The New York Times*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵² “Report on Riots Draws Praise, Condemnation,” *The Philadelphia Inquirer*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX; “Kerner Panel Report Stirs Reservations,” *The Washington Post*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX..

would have the grassroots backing of more than 1,500 NAACP chapters. Asked if the report was merely a repackaging of past commission volumes, as Kenneth Clark had lamented, Wilkins replied: “there is a good reason for that...because nothing has been done on the recommendations of 1919, 1937, 1943, and so we have the same recommendations in 1968.”¹⁵³ Whether the commission had produced a wholly original report was secondary to implementing what was there.¹⁵⁴ “Negroes resent very much being treated differently than whites,” Wilkins said, adding that if “you just treat people as people...this will not cost one cent, and I think will remove a lot of the anger and frustration and hatred that exists.”¹⁵⁵ He expressed confidence in African Americans cooperating and embracing the report because it was not “phony tokenism like in the 1950s and [early] 1960s.”¹⁵⁶

Executive Director David Ginsburg agreed, saying the commission was “aware that many commission reports have ended upon the shelf...it is better to recognize this problem by emphasizing the clarity of this position to avoid that result.”¹⁵⁷ He branded

¹⁵³ Nicholas Horrock, “A ‘Cry for Hope’ Here,” *The Washington Daily News*, Mar. 4, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵⁴ Writing in the *Washington Daily News*, Nicholas Horrock opined that while many of the observations and recommendations were not new, the Kerner report carried “a sense of urgency and impending doom not found in earlier crime commission and social reports. *Ibid.*”

¹⁵⁵ Wilkins also stated that the government needed to divert funding away from the space race toward the cities (I would rather be safer on the streets of New York than make a trip to the moon,” he said) and hoped that the report would “include ending this foolishness in the Senate,” referring to the Senate demurring on Johnson’s open housing proposal. “Mayors Back Riot Report, Big Spending,” *The Baltimore Sun*, Mar. 4, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵⁶ “Can’t Effect All of Plan, Kerner Says,” *Chicago Tribune*, Mar. 4, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵⁷ Nathan Miller, “Riot Panel Aide Likens Cost of Action to Marshall Plan,” *The Baltimore Sun*, Mar. 3, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX. *Time* speculated that in an effort to “escape the apathy that has greeted similar reports since 1922,” commissioners had produced a “crisis-timed report” they hoped would “shock the nation into action.” “Prescription for Racial Peace,” *Time*, Mar. 8, 1968, LBJ Library, Austin, TX. John Herbers of the *New York Times* brought up the example of the 1966 White House Conference on Civil Rights and its ambitious agenda and a subsequent committee to study recommendations. Nothing came of it, however; Herbers noted the “report dropped from sound and sight, like a heavy stone cast into a deep sea.” John Herbers,

the implementation of the report's recommendations as "an act of will" with stakes on par with Pearl Harbor or the Marshall Plan.¹⁵⁸ A close friend of the president, Ginsburg said that Johnson "has already sought more funds for his model cities and rent supplements programs which was recommended by the commission, but the prospects for funding are not bright" due to the "congressional economy bloc" intent on cutting spending.¹⁵⁹ James Corman said he intended to endorse "implementation for almost all of the report...the most important aspects, which need immediate attention before this summer, are help to the police, jobs for young people and summer education," while William McCulloch did not anticipate new legislation "because much of it is now before the Congress in one form or another."¹⁶⁰ McCulloch told the *Chicago Tribune* he had "a general knowledge of ghetto conditions, but in some instances, they were much worse than I expected."¹⁶¹ The report, he said, detailed "a story that has long needed to be told. It's a story that has been known in parts of its details to many people in America."¹⁶²

"After the Riot Report," *The New York Times*, Mar. 8, 1968, "Reaction: Post-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵⁸ Miller, "Riot Panel Aide Likens Cost to Marshall Plan," *The Baltimore Sun*, Mar. 3, 1968, "Reaction: Post-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁵⁹ *Ibid.*

¹⁶⁰ "City-Riot Data," *The Philadelphia Inquirer*, Mar. 2, 1968, "Reaction: Post-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX. McCulloch did offer President Johnson a bit of comic relief when revealing that he had accidentally taken Sen. John McClellan's brown hat at a speech Johnson gave to Congress in February. When McCulloch offered to bring the hat back to the White House, it denied his request and "insisted on sending a car to fetch the hat." Johnson was said to "get a chuckle out of the incident and told reporters that night that it was an example of how he gets blamed for what the Senate and the House members do to each other." Aldo Beckman, "McCulloch Calls Riot Study Satisfying," *Chicago Tribune*, Mar. 3, 1968, "Reaction: Post-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁶¹ *Ibid.*; the *Chicago Daily News* quoted as an anonymous commissioner returning from a ghetto tour as saying the tour "brought me 99 further to the left than I thought I would be." Eaton, "Report Jolts Congress," *Chicago Daily News*, Mar. 2, 1968, "Reaction: Post-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁶² Beckman, "McCulloch Calls Riot Study Satisfying," *Chicago Tribune*, Mar. 3, 1968, "Reaction: Post-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX. Commissioner Herbert Jenkins did not have any official comment on the report upon its release, though *Newsweek* did break the news that the Atlanta police chief had requested a "bottomless supply" of Coca-Cola throughout the seven-month

In the wake of the report's release, commissioners were also quick to deny that there had been a political slant or external pressure in the investigation. "We were, most of us, middle-of-the-roaders, neither extreme right nor extreme left, people already aware of the conditions, busy involved with the situation," Kerner said.¹⁶³ He let all commissioners express their opinions, and by "getting their feelings out on top of the table, we eliminated questions people may have had in their minds... We made the report in almost complete unanimity."¹⁶⁴ While there were differences in word choice, Kerner said the commission "overcame these differences rather easily," and that they paled in comparison to time constraints. The chairman had to "cut out certain things I had committed myself to previously... I had no personal life whatsoever."¹⁶⁵ Harris told *Newsweek* that while commissioners had "occasional differences" on issues like "whether to specify politically and economically practical programs or take a more sweeping moral approach," the give-and-take "rarely waxed hot" between factions in the room.¹⁶⁶ Lindsay concurred, stating that any disagreements had "focused on the programs the commission was recommending and not on the findings."¹⁶⁷ Skepticism remained that the report might go unheeded, but the hope was that the findings would resonate a bit more given that they had the blessing of a cross section of officials.

The New York Times reported a different story regarding the Kerner Commission's internal politics, citing inside sources and conversations with

investigation. "Roots of Riot—Call to Battle," *Newsweek*, Mar. 11, 1968, "Reaction: Pre-Report"; Box 5, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁶³ Flynn, "Kerner Reviews Tiring Task," *Chicago Daily News*, Mar. 2, 1968, "Reaction: Post-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁶⁴ *Ibid.*

¹⁶⁵ *Ibid.*

¹⁶⁶ "Roots of Riot—Call to Battle," *Newsweek*, Mar. 11, 1968, "Reaction: Pre-Report"; Box 5, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁶⁷ King, "Lindsay Asks Aid," *The New York Times*, Mar. 6, 1968, 22L.

commissioners and staff. According to the article, “until a month ago, some liberal members of the National Advisory Commission on Civil Disorders were seriously contemplating a dissenting report” because they “believed, and to some extent still believe, that the report lacked a sense of urgency” and did not propose enough ambitious programs.¹⁶⁸ Although they did not always vote in consistent blocs, Kerner, Lindsay, Harris, Wilkins, Brooke, and Jenkins were identified as liberals on the commission, while Corman, McCulloch, Thornton, Abel, and Peden were conservatives.¹⁶⁹ The liberal cadre had reportedly “won several key victories” in “the last few weeks” that appeased its concerns and even prompted the conservatives to threaten a dissenting report “until the last moment the report was released last Thursday.”¹⁷⁰ The liberals had the advantage of having the more prominent members, particularly Lindsay; “the threat of his dissent, which he almost never raised explicitly, was a powerful lever in the final weeks of bargaining,” the article stated.¹⁷¹ It was also the liberals on the commission who had lobbied for writing a summary of the report that would succinctly convey its message to

¹⁶⁸ Steven Roberts, “2 Factions on Riot Panel Considered Filing Dissents,” *The New York Times*, Mar. 3, 1968, 1.

¹⁶⁹ Consequently, Abel wrote a sternly worded note to the editor of the *Times* after it had labeled him as a conservative. “The author of the story apparently was unfamiliar with the militant and liberal record of the United Steelworkers of America in the whole area of civil rights,” he said. He continued: “According to Webster, a conservative is one who is ‘opposed to change.’ Actually, but this yardstick there were no conservatives on the commission, nor could there be. No fair-minded American who had seen the ghettos, who had listened to the testimony of more than a hundred experts, and who then had searched his conscience could help but conclude that far-reaching changes are urgently needed in this nation.” Abel cited several “non-conservative” views mentioned privately “for no purpose other than to set the record straight” for editor Turner Catledge. I.W. Abel to Turner Catledge, Mar. 7, 1968, “Commissioners,” Box 4, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁷⁰ Roberts, “2 Factions Considered Filing Dissents,” *The New York Times*, Mar. 3, 1968, LBJ Library, Austin, TX.

¹⁷¹ *Ibid.*

white America, particularly with regards to housing recommendations, that conservatives had resisted initially.¹⁷²

Conservative doubt had grown slowly; a source told the *Times* there had “been no votes at first, only discussion...But when they began to read the full text, and see the breadth and scope of what they were saying, they began to worry whether they could sign the report.”¹⁷³ A staff aide claimed that it was “not the report the same commission would have written eight months ago...most of them never in their lives with have signed a report like this at the outset.”¹⁷⁴ Meetings had initially discussed black militancy and conspiracies, but visits to the ghetto, witness testimony, and extensive reading made commissioners “understand the depth of the problem” and angle for something more radical.¹⁷⁵ Most recommendations put forth in the final report constituted a compromise, and the liberals did not win every dispute.¹⁷⁶ Wording was often “closely argued,” and sources said commissioners “decided to recommend what should be done, rather than what the members thought could be done under current political circumstances.”¹⁷⁷ The article added that “reliable sources” claimed that while the White House did not try to

¹⁷² A separate behind-the-scenes report noted that Kerner, Lindsay, Jenkins, and Harris were “firmest in giving a forthright no-holds barred warning to the nation.” Both Edward Brooke and I.W. Abel had poor attendance records—Abel’s was excused due to his role as a delegate to the United Nations in New York, though he was reportedly “somewhat conservative about the report” due to the “anti-Negro” tendencies of many of his steelworkers. Tex Thornton, President Johnson’s old Lone Star chum, was the “only real holdout,” according to the *Post*; the businessman had a “somewhat embarrassing conflict between money for war and money for big cities,” noting his contract with the military dictatorship in Greece. Thornton’s company, Litton Industries, received over \$180 million from taxpayers in defense contracts in 1967 as well; while he was, of course, the most vocal opponent of the commission’s liberal direction during meetings, he “finally went along with its vigorous warning to the nation,” though he had also spoken to Johnson privately since the report’s release, supposedly. Drew Pearson, “President Shaken by Riots Study Report,” *The Washington Post*, Mar. 11, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁷³ Roberts, “2 Factions Considered Filing Dissents,” *The New York Times*, Mar. 3, 1968, 1.

¹⁷⁴ *Ibid.*

¹⁷⁵ *Ibid.*

¹⁷⁶ An example of commission liberals forced to compromise was their request for a guaranteed income that instead became “a suggestion that the Federal Government ‘seek to develop’ a system of ‘income supplementation’—a distinctly more limited approach.” *Ibid.*

¹⁷⁷ *Ibid.*

influence the report, Johnson aides “expressed displeasure” when they got the report because it “did not complement current efforts to aid the poor.”¹⁷⁸ Commissioners were also surprised that the final copy of the report contained a preliminary quote from the president on “conditions that breed despair and violence” that they “could not recall ever approving.”¹⁷⁹ Even after the commission had released its findings, reports of internal friction between commission members as well as the commission and the White House persisted. How they would ultimately affect the reaction and possible implementation of the report remained unknown.

On the whole, civil rights leaders found the report encouraging, an invigorating call-to-civic-arms that shirked safe rhetoric in favor of bold truths. From his vacation spot in Jamaica, Martin Luther King Jr. praised the report, calling it a “monumental revelation of what we have seen since the burning fires of Watts.”¹⁸⁰ Privately, King composed a telegram to Gov. Kerner from Montego Bay. It read:

You, as a member of the President’s Commission on Civil Disorders, deserve the gratitude of the nation because you had both the wisdom to perceive the truth and the courage to state it. The commission’s findings that America is a racist society and that white racism is the root cause of today’s urban disorders is an important confession of a harsh truth. My only hope now is that white America and our national government will heed your warnings and implement your recommendations. By ignoring them we will sink inevitably into a nightmarish racial doomsday. God grant that your excellent report will educate the nation and lead to action before it is too late.¹⁸¹

¹⁷⁸ *Ibid.*

¹⁷⁹ Roberts, “2 Factions Considered Filing Dissents,” *The New York Times*, Mar. 3, 1968, 1.

¹⁸⁰ Eaton, “Report Jolts Congress,” *Chicago Daily News*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX. King also stated that the report was “why we have called on all Americans to go to Washington [this spring] to demand that Congress address itself to this problem.” Zion, “Rights Leaders Support Criticism,” *The New York Times*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁸¹ Martin Luther King Jr. to Otto Kerner, Mar. 7, 1968, “Commission-General,” Box 4, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

Speaking on *Meet the Press*, Cleveland Mayor Carl Stokes lauded the report and rebuked a question from a moderator on why the report did not include more “self-help measures” from successful African Americans.¹⁸² Stokes offered a scathing response:

This is the first time that there has been a report which placed the focus, the burden on the primary party that is responsible here, and in that regard, for you to try to denigrate the report, diminish it in any way, by saying, ‘You should have included what they ought to be doing themselves,’ is ridiculous. I can just show you volumes of things that are written all year long about ‘Why don’t you do for yourself,’ while at the same time the institution precludes you from doing for yourself... ‘Pull yourself by your bootstraps,’ you know. [To] the very people who do not have any boots.¹⁸³

An official statement from the U.S. Commission on Civil Rights, signed by six members who served on that commission at the time, welcomed the document’s “hard dose of medicine for the American people” and hoped that officials would “avoid the temptation to quibble over details of the report to ignore its clear warnings, or to respond with superficial remedies.”¹⁸⁴ Floyd McKissick also offered praise, saying the country was “on our way to reaching the moment of truth...It’s the first time whites have said, ‘we’re racists.’ Now’s the time to seek common truths.”¹⁸⁵ While the commission offered information and conclusions that McKissick and his peers already knew, it was

¹⁸² *Meet the Press* Transcript, NBC, Mar. 3, 1968, “Press Releases and Transcripts,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁸³ *Meet the Press* Transcript, NBC, Mar. 3, 1968, “Press Releases and Transcripts,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX. Stokes appeared on the program with five other mayors. While there were plenty of points of contention between the six officials, all agreed that America, in the words of Newark’s Hugh Addonizio, “needs to accept the fact that for improvements, money must be spent.”

¹⁸⁴ United States Commission on Civil Rights Press Release on National Advisory Commission on Civil Disorders, Mar. 15, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX. The statement also declared that the Civil Rights Commission “share with the National Advisory Commission on Civil Disorders the conviction that this Nation is a course leading rapidly toward polarizing the black and white communities into separate and unequal societies...this trend can be reversed only by acting now to make the elimination of racism and poverty within our own borders the Nation’s first priority.”

¹⁸⁵ Zion, “Rights Leaders Support Criticism,” *The New York Times*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

“important that a blue-chip panel put it in writing.”¹⁸⁶ Jesse Jackson agreed as well, saying the report was “important only because a white commission is saying it,” thus “a thousand black speakers’ words are validated by this report.”¹⁸⁷ In his typical incendiary, theatrical style, Rap Brown proposed that the commissioners “should be put in jail under \$100,000 bail each, because they’re saying essentially what I’ve been saying.”¹⁸⁸ Bayard Rustin wanted America to rectify the “economic justice” first by placing the tangible recommendations in the foreground.¹⁸⁹ “The problem is not some vague psychological racism,” he said.¹⁹⁰ Racism existed, but “anyone who wants to get rid of racism is proposing that we take 50 million psychiatrists to analyze American society for the next 10 years.”¹⁹¹ The only “antidote to disorder” would come in the form of program recommendations.¹⁹²

The report was a beginning, but “only a beginning,” and some activists “expressed skepticism” that it would bring change.¹⁹³ James Farmer did not think the report went far enough in its scathing assessment, though he praised the commission for “correctly identifying” the fundamental problem and noted it was “that much more important to empower the powerless communities” and use influence to “combat racism.”¹⁹⁴ Whitney Young complimented the report but declared that preventing riots in

¹⁸⁶ *Ibid.*

¹⁸⁷ “Rights Leaders Hope Study Brings Action,” *Chicago Tribune*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁸⁸ Zion, “Rights Leaders Support Criticism,” *The New York Times*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁸⁹ Robert Maynard, “Rustin Says Economic Injustice Has Taken U.S. to Edge of Civil War,” *The Washington Post*, Mar. 23, 1968, A13.

¹⁹⁰ *Ibid.*

¹⁹¹ *Ibid.*

¹⁹² *Ibid.*

¹⁹³ Zion, “Rights Leaders Support Criticism,” *The New York Times*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁹⁴ Fred Farrar, “Riots Report Hit, Defended in Congress,” *Chicago Tribune*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

the coming summer “depends on whether the nation adopts the cures recommended by the commission...action must begin immediately to end poverty and discrimination.”¹⁹⁵

Claude Lightfoot, a member of the Negro Affairs Commission of the American Communist Party, offered a more cynical view, welcoming the report’s conclusions but saying, “only those who are naïve will expect this Administration to carry it into life.”¹⁹⁶

Even among those who praised the commission’s findings, doubts lingered as to whether Congress and the Johnson Administration would put in the time and effort to accomplish them. An anonymous commission member concurred, telling *The Washington Daily News* that the commission had “issued a visionary report that will go almost nowhere because of the practical demands of the country right now.”¹⁹⁷ A separate report cited staff sources within the commission who “conceded there is a strong possibility that their report will go the way of...other [commissions] and study groups,” though they hoped there were “new circumstances that could make a difference.”¹⁹⁸ Commission staff compiled a list of reactions from foreign newspapers as well, ranging from Toronto to Madrid to New Delhi; on the whole, commentary “expressed doubt that massive action would be taken” on the Kerner report due to the “high cost of the Vietnam War and difficulty of changing established public attitudes...Observers also saw a lack of will to make drastic changes.”¹⁹⁹

¹⁹⁵ “Report on Riots Draws Praise, Condemnation,” *The Philadelphia Inquirer*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX

¹⁹⁶ Roy McGhee, “Riot Proposals Face Inaction in Congress,” *Sunday Bulletin*, Mar. 3, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX

¹⁹⁷ Thomas Talburt, “Hill Cool to Riot Plan,” *The Washington Daily News*, Mar. 4, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁹⁸ Herbers, “After the Riot Report,” *The New York Times*, Mar. 8, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁹⁹ Memo, “Foreign Press Reaction to Kerner Report,” March 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

Members of Johnson's own cabinet did little to assuage such concerns. Wilbur Cohen, a nominee to be Secretary of Health, Education, and Welfare who had not yet been confirmed, attacked the report as oversimplifying causes of the riots and avoiding crucial internal issues in black communities. "I've thought a good deal about that term 'white racism,'" Cohen said, adding it "bothers me a good deal, because I think you could also say there is black racism and brown racism and red racism."²⁰⁰ Cohen continued it was "no great help...to use slogans" as the commission did and wished "some of the energy that has gone into rioting" would instead choose "efforts...for self-improvement."²⁰¹ The comments, coming from a key figure in the liberal administrations of both Lyndon Johnson and Franklin Roosevelt, puzzled many observers and infuriated members of the Kerner Commission. Cohen was simply responding to a question regarding comments from outgoing HEW Secretary John Gardner on America not grasping its own issues, but his answer was still a "departure from the traditional behavior of Cabinet nominees."²⁰² Ginsburg wrote a blistering letter to Cohen in late March that scrutinized the original exchange where Cohen criticized the commission. "If the transcript doesn't accurately reflect your views, I do hope you'll find an opportunity soon to correct the record," Ginsburg said, referring to Cohen's insistence that the commission made plenty of valid assertions in spite of his criticism.²⁰³ Ginsburg continued: "in my view your remarks have hurt the Report, the members of the Commission and those associated with it...My guess is that it will also hurt you, your

²⁰⁰ "Cohen Hits Riot Report 'White Racism' Stress," Associated Press, Mar. 2, 1968, "News Clippings," Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

²⁰¹ Eve Edstrom, "Riot Panel's Report Criticized by Cohen," *The Washington Post*, Mar. 26, 1968, A1; "Cohen Hits Riot Report 'White Racism' Stress," Associated Press, Mar. 2, 1968, "News Clippings," Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

²⁰² Edstrom, "Report Criticized by Cohen," *The Washington Post*, Mar. 26, 1968, A1.

²⁰³ David Ginsburg to Wilbur Cohen, Mar. 29, 1968, "Commission Report," Box 4, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

Department and the President—because the text of the Report makes clear that the implications of most of what you said are untrue and the attributions to the Commission misleading and wrong.”²⁰⁴ The commission’s executive director concluded his letter by saying that the people most harmed by the remarks would be those the commission sought to help; “no one who had read that Report, and wanted to describe it, could have said what you said,” Ginsburg wrote to Cohen.²⁰⁵

Vice President Hubert Humphrey also cast skepticism upon the report on March 5, calling it “open to challenge” and denying that the country was bound for two separate societies.²⁰⁶ “Separatism in America today is a minority movement, led by white and black extremists who can take advantage of current frustration but do not speak for the bulk of Americans, black and white,” Humphrey said.²⁰⁷ He did not want America to “fall into the error of condemning whole societies—white or black or German or Arab or Chinese...let us not look for scapegoats.”²⁰⁸ White House Press Secretary George Christian distanced the Johnson Administration from Humphrey’s comments, saying the vice president was “expressing his conclusions” and that “the President would have nothing to say about the report until he has examined it carefully.”²⁰⁹ Humphrey soon backtracked, writing to every commissioner in praise of the report’s “eloquence and honesty.”²¹⁰ He wrote to Harris that history would “come to view this report as the

²⁰⁴ *Ibid.*

²⁰⁵ *Ibid.*

²⁰⁶ “White House Disclaims HHH Riot Report View,” *The Washington Post*, Mar. 6, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

²⁰⁷ “Vice President Criticizes Riot Report Finding,” *Los Angeles Times*, Mar. 25, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²⁰⁸ *Ibid.*

²⁰⁹ “White House Disclaims HHH,” *The Washington Post*, Mar. 6, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

²¹⁰ Carl Bernstein, “After Criticizing Riot Report, HHH Writes Laudatory Letters,” *The Washington Post*, Mar. 29, 1968, A2.

turning point in America's long-standing commitment to achieve a just and open society for all her citizens...we now possess a document of immense value and importance."²¹¹ One of Humphrey's aides insisted that the initial comments were interpreted in a "far more critical vein than they were intended to be," but the vice president nevertheless reiterated his stance at a speech late in the month, saying he wished to "make it clear once and for all: I believe the most important and principal conclusions of the report are right, and I commend the report and thank its authors."²¹² While the commission and White House spokesmen had managed to put out fires regarding criticism of the final report, President Johnson's silence on the matter well into the first week of March remained the Texas-sized elephant in the room.²¹³

As the president continued to stay silent, however, members of Congress voiced their opinions on the Kerner Commission report and what its recommendations meant for America going forward. Congressmen who had served on the commission expressed optimism that the report would provide a "strong push toward passage of legislation" currently before the House and Senate, especially the civil rights bill that featured a provision outlawing housing discrimination. Additionally, thirty-six members in the right-leaning House of Representatives pledged total support for the commission's recommendations. In a statement drafted by New York Representative Benjamin Rosenthal, the coalition—thirty-two Democrats, four Republicans—said it would "endeavor, in every way open to us in Congress and in our communities...to affirm the

²¹¹ *Ibid.* According to the article, Humphrey's letter to Harris on this matter was dated March 8.

²¹² Hubert Humphrey, excerpts from speech to Building Construction Trades Department, AFL-CIO, Mar. 28, 1968, "News Clippings," Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

²¹³ Johnson did also have people in his ranks speaking in his favor. Secretary of Labor Willard Wirtz called Johnson and Humphrey "the two most effective liberals in the country today," part of a cadre of "the working stiff of liberalism" in contrast to the "patio liberals" who "talk more and act less on civil rights and civil liberties." "Wirtz Embraces Kerner Report," *The Washington Post*, Mar. 22, 1968, "Reaction: Post-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

priority of the Commission's work... We stand ready to act."²¹⁴ For some Congressional liberals willing to address urban problems at any cost, the Kerner Commission report seemed a desired script, a clear path to realizing goals passed over due to foreign-policy commitments and obstinate conservative peers. A report authored by "11 moderates whose loyalty to the American system could not be questioned" should not be dismissed as a fringe manifesto, after all.²¹⁵

Many in Congress disagreed with the commissioners, however. The White House already "anticipated a hard fight" on Johnson's own proposals to Congress, a fight where "the more costly" programs "would have to be compromised."²¹⁶ Following the report's release, Michigan Senator Philip Hart and Bayard Rustin sent a letter to hundreds of Democratic officials, Kerner included, indicating they were "deeply troubled" at both the report's findings and the direction of Congress.²¹⁷ "Even though the nation is verging toward greater violence, the brutal fact is that most of the action called for by the commission would be not be implemented by the present narrowly divided Congress even if the war were to end tomorrow," the joint statement read.²¹⁸ In losing 47 seats in the House in the 1966 midterms, liberals had "since been fighting a series of bitter but successful rear guard battles to defend those accomplishments against a revived conservative coalition."²¹⁹ Now that the Kerner Commission had sounded its alarm, Hart and Rustin said, the need to unearth capable challengers and keep existing seats was even

²¹⁴ "White House Disclaims HHH," *The Washington Post*, Mar. 6, 1968, "News Clippings," Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

²¹⁵ "Negroes and Rights: New Controversy in the Wake of the Kerner Report," *The New York Times*, Mar. 10, 1968, E2.

²¹⁶ Herbers, "After the Riot Report," *The New York Times*, Mar. 8, 1968, "Reaction: Post-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²¹⁷ Philip Hart and Bayard Rustin to Friends, March 1968, "Board of Economic Development," Box 1410, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

²¹⁸ *Ibid.*

²¹⁹ *Ibid.*

more pressing; “if the history of the past two decades is any guide, the choice between action and reaction will not be made in the White House, but in the Congress—and especially in the House of Representatives, where liberal power is now most needed and most threatened,” Hart and Rustin said.²²⁰ In the mean time, those 150 liberals who were in the House needed to fight a right-wing movement bolstered by “campaigns subtly appealing to racism in the guise of concern about ‘crime in the streets.’”²²¹ Said another liberal official: “This is fundamentally a conservative Congress...The report will produce no concrete action,” though he hoped the “long-run effect could be more positive” as a “blueprint for urban overhaul” whenever the nation mercifully withdrew from Vietnam.²²²

In March 1968, however, that moment did not appear imminent. Beset by a costly war with flagging support and aims to slash spending, the Kerner Commission tome was the last thing many members of Congress wanted on their desks, particularly as right-leaning members impeded the civil rights bill and its open housing centerpiece. Even when a 61-19 Senate vote “halted unlimited debate on civil rights” and “cleared the way for action on open housing and protection of Negroes and civil rights workers,” concern remained about the broader bill “languishing in the House, [now] a citadel of Capitol Hill conservatism.”²²³ *The New York Times* offered optimism that the action constituted “an impressive first response” to the Kerner Commission’s open housing request, proving that “the democratic process can move effectively to smash the barriers to equal

²²⁰ *Ibid.*

²²¹ *Ibid.*

²²² “Washington Wire: A Special Weekly Report From The WSJ’s Capital Bureau,” *The Wall Street Journal*, Mar. 8, 1968, 1.

²²³ “Senate Breakthrough,” *The New York Times*, Mar. 10, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

treatment” and speculating that perhaps the report’s prominence since its release influenced the Senate vote.²²⁴ The Senate’s action on the open-housing portion of the civil rights bill was a starting point, but that starting point did not guarantee broader action on behalf of the Kerner report. Commentator Charles Bartlett argued that the report “is stirring more irritation than gratitude in Congress...where many feel caught between their awareness of city needs and their fear of the taxpayer,” and that it “aggravated Congress’s sense of being threatened by the black militants.”²²⁵ Congress also, of course, awaited Johnson’s reply to the report, though those wishing to cut spending seemed primed to reject the recommendations even if the White House did endorse them. Not all Republicans agreed with this strategy, and several members in the House opted for a proposal that would cut spending in the current budget “in order to commit more money to the critical needs of the cities.”²²⁶

Johnson had already asked for a 10 percent tax increase for Vietnam expenditures and fighting inflation, which prompted an “ultimatum” from Wilbur Mills, the longstanding chair of the House Ways and Means Committee: either cut domestic

²²⁴ The Senate, claimed the *Times*, sought to craft a bill that made open housing “more politically palatable to the great bulk of white Americans,” and the final bill included “several anti-riot provisions” that “only a few hardcore liberals” protested. The bill also would “provide stiff Federal penalties for those convicted of intimidating or injuring civil rights workers and Negroes exercising a guaranteed right; make it a Federal crime to travel from state to state, or use radio, television, or telephone to incite a riot; make it a Federal crime to manufacture or demonstrate firearms, firebombs or other explosive devices for use in a riot or disorder; and create a bill of rights for American Indians.” “Negroes and Rights,” *The New York Times*, Mar. 10, 1968, E2. When the bill failed to clear the House Rules Committee later in the month, Wirtz called it “bigotry in its age-old form.” He also believed “deeply that this report is right, that any weaker report would have been wrong, dangerously wrong.” “Wirtz Embraces Kerner Report,” *The Washington Post*, Mar. 22, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²²⁵ Charles Bartlett, “Riot Panel’s Call Irking,” *The Washington Evening Star*, Mar. 5, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²²⁶ *Ibid.*

spending, or a tax increase would not happen.²²⁷ Now came a report with tens of recommendations that would undoubtedly add billions to the ledger. If many Congressional Republicans and southern Democrats strained to raise taxes on account of the Vietnam War, a fight to contain communism in Southeast Asia that many of them supported in principle, the chances of securing funds for “new domestic outlays” seemed grim.²²⁸ Some of the commission’s recommendations, such as open housing and combatting discrimination, did not cost anything, but others, like increased welfare standards of which the government would pay 90 percent, garnered less appeal to an exasperated Congress. Its detractors lodged their criticism on two fronts: the recommendations were ill-timed in the current climate, and the basic conclusions of who was culpable for the summer’s bloodshed were misguided as well.

George Mahon, a Texas Democrat and chair of the House Appropriations Committee, branded the findings as “wholly unrealistic” to implement, given their scope, and said the commission’s work might “raise hopes and expectations which could do more harm than good.”²²⁹ Mahon was one of many right-leaning congressmen in a mood

²²⁷ Drew Pearson stated that the opposing coalition of Republicans and southern Democrats had “joined like a Roman phalanx” in opposition to President Johnson. Pearson, “President Shaken by Riots Study Report,” *The Washington Post*, Mar. 11, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

²²⁸ Herbers, “After the Riot Report,” *The New York Times*, Mar. 8, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX. Along this line of thinking, *Washington Post* columnist Art Buchwald suggested that Congress would not act on the report unless the commission tied the rioting to communism explicitly. “You can talk about threats, frustration, inequities, poverty, joblessness and anything you want to, but nobody is going to take notice unless you have a Communist menace thrown in somewhere,” Buchwald wrote, arguing that President Johnson got money from every time he said, “the Commies are going take over.” America, Buchwald asserted, could “live with poor people, it can live with jobless people, it can even live with angry people. But it can’t live with Communist people... You go to Congress during an election year and talk about “Red Power instead of “Black Power” and even George Wallace is going to be scared.” Art Buchwald, “Civil Disorder Report Ignored Greater Peril of Red Ghettos,” *The Washington Post*, Mar. 12, 1968, A17.

²²⁹ “Mahon Challenges Cost of Riot Panel Proposals,” *The Washington Evening Star*, Mar. 2, 1968, “Official Correspondence,” Box 1392, Series I, Kerner Papers, 1947-1968; Lincoln Library, Springfield, IL.

to cut spending, and thus a report with vague assertions of doing the opposite did not go over well. “We will spend \$25 billion this year to help the poor,” he said, adding, “I do not see how we can make this great leap forward at this time of fiscal stringency.”²³⁰ Mahon compared the \$27.7 billion Johnson asked for to assist the poor in the coming fiscal year to the \$9.5 billion and \$12.5 billion spent on the poor in the last years of the Eisenhower Administration and Kennedy Administration, respectively.²³¹ “If you can’t pass a surtax of 10 percent, how can you expect to pass a surtax of 50 to 100 percent to cover the cost of massive new programs?” he asked.²³² Louisiana Democrat Edward Hebert called the report “propaganda ad nauseam” from a left-leaning commission under the instruction of a left-leaning president.²³³ South Carolina’s Strom Thurmond took his criticism a step further; after President Johnson nominated Kerner to a judicial vacancy on the Seventh Circuit Court of Appeals, Thurmond attended the Senate Judiciary Subcommittee hearing to cross-examine Kerner over his role on the riot commission. “I have mixed emotions,” Thurmond said of Kerner, adding he admired the Illinois governor for “his long and dedicated service in various capacities” but did not “understand...trying to blame the white race” for riots.²³⁴ Kerner did not relent, insisting

²³⁰ “Kerner Panel Report Stirs Reservations,” *The Washington Post*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²³¹ Joseph R.L. Sterne, “Ghetto Aid Questioned by Mahon,” *The Baltimore Sun*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²³² William Umstead, “Riot Panel’s Report Fates a Congress Spending Fight,” *New York Daily News*, Mar. 7, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²³³ “Kerner Panel Report Stirs Reservations,” *The Washington Post*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²³⁴ “Kerner Affirms Finding on Bias,” *The Washington Star*, Mar. 29, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

that white racism “has a great deal to do with these riots”; he was eventually confirmed by the bipartisan subcommittee.²³⁵

Another South Carolinian, Albert Watson, did not limit his criticism to the cost of the findings; he also castigated the findings themselves, stating that to “lay the blame for these riots on so-called white racism is an incredible rationalization” that provided “further emphasis to the cry of police brutality” and refrained from blaming riot instigators in any meaningful way.²³⁶ Mississippi Senator James Eastland called for a return to law and order and said that with the report, America saw “the results of stripping our police of effective power and of coddling those who infringe on the rights of others in the name of some cause.”²³⁷ Louisiana Rep. Allen Ellender told the press the report gave “the demagogues a chance to take the stage,” while Virginian Rep. Watkins Abbitt said that classifying “wrong conditions does not open the door to lawbreakers and hoodlums who can act under the guise that they are trying to rectify the misdeeds of society.”²³⁸ Abbitt blasted national leaders as well, accusing “so-called do-gooders, as well as certain organizations and elements of the federal judiciary” of having “paved the way for the summer riots.”²³⁹ The criticism reached the point that an exasperated Ginsburg wrote to the entire commission requesting that “more important editorials and

²³⁵ Robert Albright, “Kerner Defends Riot Report At Hearing on His Judgeship,” *The Washington Post*, Mar. 29, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX; “Johnson to Name Kerner as Judge,” *The New York Times*, Mar. 9, 1968, 1.

²³⁶ Eaton, “Report Jolts Congress,” *Chicago Daily News*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²³⁷ “Report on Riots Draws Praise, Condemnation,” *The Philadelphia Inquirer*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX. Eastland’s fellow Mississippian, Rep. Thomas Abernethy, called the report “a play on absurdity” that had “just buried the horrible mess under a big splash of whitewash” and claimed a “high school student could have accurately written their report within five minutes after the make-up of the commission was announced.”

²³⁸ McGhee, “Riot Proposals Face Inaction,” *Sunday Bulletin*, Mar. 3, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX; “Rep. Abbitt Scores Riot Commission,” *Richmond Times-Dispatch*, Mar. 1, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX

²³⁹ *Ibid.*

clippings which Al Spivak is sending are inserted into the Congressional Record” because “a number of Senate and House members hostile to the report have mounted a campaign against it...it would be extremely helpful if the favorable side of the story were also told.”²⁴⁰ On March 20 the House Rules Committee “refused to clear fair housing legislation,” prompting an outcry from liberals and halting the momentum of the civil rights bill.²⁴¹

One Nashville businessman spoke for many conservatives in a local column about why the report signaled a nation, guided by liberalism, heading in the wrong direction. He wrote:

The commission’s report is indicative of what is wrong. It says, in effect, that the riot is the fault of society, of the self-reliant citizens who mind their own business. This is absurd. It is not the task of American society in general or government in particular to lavish gifts on every disadvantaged citizen so that he has the same amount of goods and services enjoyed by more productive, able and prudent citizens. People aren’t trapped in slums by society. If they have been trapped, it is because they haven’t taken advantage of the opportunities that exist in free enterprise America. People leave the slums all the time; people who are energetic and self-reliant. Others, unfortunately, don’t have the will to work and get ahead. The danger we face extends beyond riots. The danger is that the least productive, least self-reliant, least independent elements will become convinced that society owes them a living—a very good living. They also may become convinced that if society fails to pay off handsomely, they have a right to riot.²⁴²

All of these criticisms folded into a broader critique of liberalism and of the fundamental worldview that the Kerner Commission seemed to take in its assessment of America. They became a rallying point among conservatives and opponents of the report: why did the Kerner Commission downplay the behavior of the rioters themselves? Not only was it unfair, according to these critics, it would also embolden rioters to repeat such

²⁴⁰ David Ginsburg to Commission, Mar. 18, 1968, “Commission-General,” Box 4, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

²⁴¹ “Wirtz Embraces Kerner Report,” *The Washington Post*, Mar. 22, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²⁴² Thurman Sensing, “Sensing the News,” *Southern States Industrial Council*, Mar. 14, 1968, “Board of Economic Development,” Box 1410, Series I, Kerner Papers, Lincoln Library, Springfield, IL.

behavior if they believed there would be no consequences. This line of thinking permitted critics of the report to pivot away from many of the findings and recommendations and instead focus on the shortcomings, deflecting the attention away from diagnosed problems and toward liberals willing to soft-pedal rioting while casting criminals as victims. Critics sometimes used coded language to make their point, and at other times, they said it explicitly: the commission was so reluctant to blame black criminals for rioting that it had instead drawn the wrong conclusions and held white suburbanites responsible.

These critics found an ally in Sen. John McClellan's subcommittee investigation, slated to conduct a new round of open hearings on Detroit and Newark riots beginning on March 19; the hearings promised "a lot of 'law and order' talk," according to *The Wall Street Journal*.²⁴³ George Romney answered questions and read a prepared statement at the hearings in Detroit, where he called the Kerner Commission's conclusions misguided and expressed support for "individual changes of attitude to Negroes and 'self-help' by local government, private industry, and individuals."²⁴⁴ This was the investigation many Americans wanted, one that refused to rule out conspiracy. Senator Carl Curtis of Nebraska, who referred to the Kerner report as a "barrage of propaganda," also believed that the "patterns of fires" in Detroit showed "somebody organized it...it was not just spontaneous combustion."²⁴⁵ The subcommittee received testimony from Michigan State Police Commander Frederick Davids, who told officials that the "fires and false alarms were deliberately spread throughout the city" to stretch resources and "so that they could

²⁴³ "Washington Wire," *The Wall Street Journal*, Mar. 8, 1968, 1.

²⁴⁴ Oswald Johnston, "Romney Critical of Riot Report," *The Baltimore Sun*, Mar. 20, 1968, "Reaction: Post-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²⁴⁵ *Ibid.*

make certain that the town burned down.”²⁴⁶ Romney complicated matters a bit by backing open-housing legislation and racial tolerance at the hearings. These points, according to a report, “were not...what McClellan and his colleagues wished to hear.”²⁴⁷ Responding to accusations of police brutality, McClellan wrote “frostily” that “it makes no sense that this should have any impact.”²⁴⁸ Told that African Americans in Detroit resented being called “boy,” McClellan replied: “Do you have any reports about whites being called ‘whitey ‘ and ‘honky?’ Nobody ever used to think of it as offensive. It used to be a friendly term.”²⁴⁹

Along with Vietnam, civil disorders figured to be the most prevalent issue in the upcoming election. Columnist Robert Roth praised Johnson and Nixon for having “handled this explosive matter with responsibility,” but he doubted that third-party candidate George Wallace could “be counted on for equal circumspection...his very presence in the presidential race as an independent candidate is an incitement to racist dissention.”²⁵⁰ William White of *The Washington Post* concurred that riots would be an issue, with the report itself as “a brooding factor X.”²⁵¹ In addition to calling the report “plainly inflammatory in some of its conclusions and unwisely evangelical in some of its rhetoric,” White predicted that the result would be more, rather than less, disorder.²⁵² In response to the report’s fiery tone, he said: “the hot breath of evangelism should be the

²⁴⁶ *Ibid.*

²⁴⁷ *Ibid.*

²⁴⁸ *Ibid.*

²⁴⁹ *Ibid.*

²⁵⁰ Robert Roth, “Civil Disorders Become No. 1 Election Issue,” Sunday Bulletin, Mar. 3, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

²⁵¹ William S. White, “Riot Report Certain to Help Republicans, Hurt Democrats,” *The Washington Post*, Mar. 6, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

²⁵² *Ibid.*

very last breath to be blown upon this livid coal.”²⁵³ By “suggesting that the very Administration which created this Commission has not done much about this frightful problem,” he said, the report would “almost certainly injure” Democrats while bolstering Republicans, particularly Nixon (“He is not going to go all the way with the Commission, and obviously not with the unhappily *Uncle Tom’s Cabin* approach which in some instances it has taken,” White wrote).²⁵⁴ White also feared Wallace would benefit from the report, his agenda and supporters buoyed “by any and every Negro riot.”²⁵⁵ More than likely, he concluded, the “forces of racial extremism, black and white, will be the ultimate gainers from the Commission’s manifesto.”²⁵⁶

On the campaign trail in advance of the New Hampshire Primary, Republican presidential candidate Richard Nixon capitalized on the criticism and frustration over the Kerner Commission’s report. It was here, in the nascent days of his drive toward the White House, that Nixon crafted his message as law and order’s standard-bearer. Speaking at a radio station in Keene, New Hampshire, the former vice president levied a harsh assessment of the report. By placing “undue emphasis on the idea we are in effect a racist society, white racists versus black racists,” and laying the blame on “everyone except the perpetrators of the riots,” he told his audience, the commission of moderates and liberals had missed the mark on what plagued inner cities.²⁵⁷ “We have got to make it very clear to potential rioters that in the event something starts next summer, the law will

²⁵³ *Ibid.*

²⁵⁴ *Ibid.*

²⁵⁵ *Ibid.*

²⁵⁶ *Ibid.*

²⁵⁷ Robert Semple, “Nixon Scores Panel for ‘Undue’ Stress on White Racism,” *The New York Times*, Mar. 7, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

move in with adequate force to put down rioting and looting,” Nixon said.²⁵⁸ He did not deny that prejudice and injustice existed, but what the Kerner Commission had put forth “tends to divide people, to build a wall in between people” that did not help matters.²⁵⁹ “Violence in a free society is never inevitable unless we accept the inevitability,” he said.²⁶⁰ What America needed, he reasoned, was reconciliation, calls for unity that relied more on private enterprise than massive federal spending. He did not broach specifics, but did concede the report contained “good things.”²⁶¹

Nixon reserved his harshest criticism for President Johnson, whose Administration he said was “voicing defeatism and counseling despair as it predicts another summer of racial violence.”²⁶² He linked ghetto violence to Vietnam War violence, claiming the “first lesson is that the best time to display both power and the will to use it is before trouble starts...force alone is not enough...it is no answer to those who think they have nothing to lose.”²⁶³ Achievement in inner cities needed to “rest not on the expectation of being given something, but on the chance to do something,” Nixon said.²⁶⁴ He remained hopeful that the summer of 1968 would be more peaceful for three reasons: America had “been warned,” responsible African American leaders were resisting the “extremists,” and the election year would facilitate a “peaceful, political focus” for the

²⁵⁸ “Nixon Raps Riot Panel,” United Press International, Mar. 6 1968, “3/15/68-3/21/68,” Box 388, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

²⁵⁹ Semple, “Nixon Scores Panel,” *The New York Times*, Mar. 7, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

²⁶⁰ Ernest Furgurson, “Johnson Voices Defeat on Riots, Nixon Says,” *The Baltimore Sun*, Mar. 8, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²⁶¹ Semple, “Nixon Scores Panel,” *The New York Times*, Mar. 7, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

²⁶² Furgurson, “Johnson Voices Defeat on Riots,” *The Baltimore Sun*, Mar. 8, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²⁶³ *Ibid.*

²⁶⁴ *Ibid.*

country.²⁶⁵ As president, Nixon said he would “prepare to meet force with force if necessary” and ensure that “retaliation against the perpetrators and the planners of violence will be swift and sure,” but the first option needed to be the “conviction to bring the American dream to the ghetto.”²⁶⁶ Johnson and his Great Society gave the country the misleading impression that “the evils of centuries could be overcome overnight,” he said.²⁶⁷

In his criticism, Nixon channeled millions of American conservatives who seethed at requests for more federal funding on the heels of burning cities and billions already poured into the Great Society and civil rights measures. For his supporters, he was a levelheaded voice, more deliberate than firebrand third-party candidate George Wallace but tougher on crime than the sitting president. He was a man who had begun the decade narrowly losing a presidential election and now wished to halt an eight-year cycle of liberalism and all of its pervasive consequences, the voice for a group of white Americans who felt under siege, resenting the notion that they were responsible for both distant violence and footing the bill to fix the conditions that generated that violence. This was the America concerned with “how to curb riots rather than how to deal with their underlying causes,” more concerned with outside agitators and links to extremism than police brutality and the spiral of poverty.²⁶⁸

Nixon channeled conservative critic James Kilpatrick, who called the Kerner report a “whitewash” packed with false conclusions and subterfuge.²⁶⁹ He channeled *The*

²⁶⁵ *Ibid.*

²⁶⁶ *Ibid.*

²⁶⁷ *Ibid.*

²⁶⁸ “Negroes and Rights,” *The New York Times*, Mar. 10, 1968, E2.

²⁶⁹ James Kilpatrick, “Civil Disorder Report a Whitewash,” *The Washington Star*, Mar. 7, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

Wall Street Journal editorial that castigated naïve, sentimental liberals who “imagine there is a cure in the outpouring of money” rather than pragmatism.²⁷⁰ He channeled David Lawrence in *The Washington Star*, who accused the Kerner Commission of “avoiding entirely” that “militant Negro organizations have preached violence and threatened more and more riots unless Congress grants the demands of mobocracy.”²⁷¹ He channeled Charles Bartlett, who said that moderate, sensible men, “after a close look at the circumstances, produced a report which is radical by any yardstick.”²⁷² He channeled *The Dallas Morning News*, which ran an editorial ripping the Kerner Commission for reheating failed liberal strategies that had “made old problems worse and new problems grow...more welfare, more public housing, more restrictions on the police, more social engineering, more direction from the top and, of course, more spending all around.”²⁷³ He channeled *The Newark Evening Star*, blaming the report for sending a message to the urban poor that “there is nothing they can do, even with help, to extricate themselves from the ‘racist’ oppression,” and thus perpetuating the cycle of dependence and squalor.²⁷⁴ He channeled the *Montgomery Advertiser* that claimed nothing had “poured as much gas on the flames still flickering in the cities as the Honkey Report...it is to the war of the cities what Munich was to World War II.”²⁷⁵ As Nixon embarked on

²⁷⁰ “Review and Outlook: The Cure of All Evil,” *The Wall Street Journal*, Mar. 7, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²⁷¹ David Lawrence, “Riot Report Reflects Panel Makeup,” *The Washington Star*, Mar. 4, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²⁷² Bartlett, “Riot Panel’s Call,” *The Washington Evening Star*, Mar. 5, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²⁷³ “The Leftovers of Liberalism,” *The Dallas Morning News*, Mar. 2, 1968, B5, “Reaction to Commission Report,” Box 2, Series 30, NACCD, RG 282, LBJ Library, Austin, TX.

²⁷⁴ “Misdirected Energies,” *Newark Star-Ledger*, Mar. 28, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²⁷⁵ “Whodunit? Whitey, Of Course,” *Montgomery Advertiser*, Mar. 7, 1968, “3/9/68-3/13/68,” Box 388, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

his presidential campaign, he hoped to convince the millions of conservatives who believed these sentiments that he was a capable challenger, worthy of their vote.

Those enraged by the leak of an unpublished Kerner Commission staff report that claimed police did more to incite a riot in Cambridge, Maryland, than did Rap Brown also found an ally with Nixon. “It may be emotionally satisfying to think that Brown came to Cambridge and that therefore there was a riot, and it may be simpler for the public to grasp,” the unpublished report read, but the facts of the incident were “more complex and quite different.”²⁷⁶ The leaked assessment called to mind African American conservative George Schuyler’s fierce defense of police, whom he said were the “perennial whipping boys of those running interference for demonstrators” despite the fact they were “the first line of defense against the troglodytes ever waiting.”²⁷⁷ Many in and around law enforcement shared this view. For Nixon and throngs of his supporters, this kind of rhetoric rewarded rioters and encouraged more wasteful spending. Putting an end to it meant assailing the Kerner Commission’s findings and, more importantly, pinning blame on the bloody aftermath of the Great Society and sweeping civil rights reforms on Lyndon Johnson himself. How successful right-leaning critics would fare on this score would be determined in the forthcoming months.

Beyond finger-wagging conservatives, finger-crossing liberals, an obdurate Congress, and officials, pundits, and activists all scrambling to guess what would come of

²⁷⁶ The unpublished report also faulted Cambridge’s white power structure for refusing to “consider Negro grievances on housing, police, education, employment, poverty programs and the like, the report says, and this heightened tensions within the Negro community.” Gail Bensinger and Maurice McLaughlin, “Report says Rap Brown Didn’t Cause Md. Riot,” *The Washington Post*, Mar. 5, 1968, A1. The actual report failed to mention Brown or Stokely Carmichael by name. “As Another Riot Season Nears—Findings of White House Study,” *U.S. News & World Report*, Mar. 11, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²⁷⁷ George Schuyler, “Gutless Riot Panel Puts Blame on Whitey,” *Connecticut Sunday Herald*, Mar. 3, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

the report in an election year, there was an awaited reply from the President of the United States, the man whose pen stroke had founded the Kerner Commission and whose legacy in the months preceding the November election seemed to be in the balance. All of Nixon's criticisms presupposed, of course, that Johnson agreed with the Kerner Commission's findings and intended to brook the sweeping recommendations. On the snowy day in Washington that the commission released its report, Johnson was at Ramey Air Force Base in Aguadilla, Puerto Rico. The first message came from Joe Califano, who informed the president on March 2 that Ramsey Clark, Douglass Cater, and Harry McPherson all agreed that he "do or say something about the Kerner Commission report to indicate that you are taking it seriously and not ignoring it."²⁷⁸ Options included a government task force and having cabinet officers look at specific recommendations in their own areas followed by press conferences to summarize the evaluation of "recommendations we are implementing and [to] explain why we are not moving on others."²⁷⁹

Clark's plan for a task force sought to determine how the federal government could put the report's recommendations into effect while encouraging cities and states to cast their own critical eye. "In accepting the report, you can praise the work and dedication of the commission members, but you need not embrace all of its findings or recommendations," Clark wrote to Johnson.²⁸⁰ It would be a gesture, acknowledging the report as "a searching and comprehensive statement of problems and goals" without

²⁷⁸ Joseph Califano to Lyndon B. Johnson, Mar. 2, 1968, Folder 16, Box 39, FG 690, NACCD, White House Confidential File, LBJ Library, Austin, TX.

²⁷⁹ Califano to Johnson, Mar. 2, 1968, Folder 16, Box 39, FG 690, NACCD, CF, LBJ Library, Austin, TX.

²⁸⁰ Ramsey Clark to Lyndon B. Johnson, Mar. 2, 1968, "2/28/68-3/13/68," Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

articulating how many of the goals might be realized.²⁸¹ The task force could measure recommendations against existing federal programs, the cost of each recommendation, how many, if any, might involve executive action, and how many might require preparing legislation. “If you do this right away, you will show decisive action without subscribing to everything the report says and encourage governors and mayors to act,” Clark concluded.²⁸²

McPherson, special counsel to the president and a fellow Texan, favored the latter approach and wrote with some concern to Califano on March 1. “The more I think about it, the more I fear that a cold reception to the Kerner report is bad policy for us,” he said.²⁸³ While he acknowledged the funding issues and the report’s “lack of economic and political realism in some areas,” McPherson reviewed the Kerner Commission’s own timeline for Johnson: riots; a commission “chaired by the only big state Northern Democratic Governor, and including the Mayor of New York, moderate Negro leaders, responsible Senators and Congressmen, and even for God’s sake the police chief of Atlanta,” with a staff overseen by “a brilliant lawyer, known to be an intimate friend and counselor of the President”; a seven-month study that left many commissioners “stunned by the gravity and urgency of the Negro’s problems”; lastly, a report that denounced the role of conspiracy, cited white racism, and said that “worse trouble will follow unless cities, state, and the Federal government move massively and rapidly to change living conditions in urban Negro areas.”²⁸⁴ McPherson asked: “if our response is, ‘we’ll study

²⁸¹ Califano to Johnson, Mar. 2, 1968, Folder 16, Box 39, FG 690, NACCD, CF, LBJ Library, Austin, TX.

²⁸² *Ibid.*

²⁸³ Harry McPherson to Joseph Califano, Mar. 1, 1968, Folder 16, Box 39, FG 690, NACCD, CF, LBJ Library, Austin, TX.

²⁸⁴ McPherson to Califano, Mar. 1, 1968, Folder 16, Box 39, FG 690, NACCD, CF, LBJ Library, Austin, TX.

it,' what will people think? I don't mean bomb-throwing liberals, *New York Times* editorial writers, columnists, or militant Negroes...I mean ordinary moderate people."²⁸⁵ These citizens, he said, "though they are concerned about their own safety, disturbed about black violence in their cities, and much less sympathetic toward civil rights than they used to be," were "also concerned about finding some way out of the tragic tailspin we are in."²⁸⁶

Acknowledging that arming "every white man in sight" did not seem a viable option, McPherson told Johnson that America would look to the Oval Office for leadership.²⁸⁷ If Johnson demurred and merely said he would study the study, it would leave many unsatisfied. Instead, McPherson proposed looking at every Kerner Commission recommendation tied to the federal government and measuring it against "what we have asked for, which ones have been turned down in Congress in past years, which are extensions of what is already under way, etc.—treating it seriously in other words."²⁸⁸ Members of Johnson's Cabinet could then brief the press in a "realistic, candid way" before Johnson himself gave an address "weighing the possibilities for action, and dealing with the Commission's recommendations for city, state, and private action."²⁸⁹ McPherson reasoned that concerned white moderates wanting answers would sympathize with budgetary and other constraints that "prevent the complete implementation of the report."²⁹⁰ If the commission did not act, he reiterated that "we will be in trouble," and

²⁸⁵ *Ibid.*

²⁸⁶ *Ibid.*

²⁸⁷ *Ibid.*

²⁸⁸ McPherson to Califano, Mar. 1, 1968, Folder 16, Box 39, FG 690, NACCD, CF, LBJ Library, Austin, TX.

²⁸⁹ *Ibid.*

²⁹⁰ *Ibid.*

there would be “little public acceptance of future Presidential commissions as even temporary palliatives in meeting national problems, if we are silent on this one.”²⁹¹

While McPherson and Clark’s ideas did not explicitly respond to anything Johnson had suggested, their thinking illuminated initial White House strategy after the Kerner Commission had released its report; rather than rallying liberals to the causes espoused in the bulky document, Johnson staffers sought the support of white moderates, relying on bland lip service to placate concerns and offer a dose of realism. As a starting point for March, this approach did not bode well for the Kerner agenda or the commissioners bullish on the report’s prospects. Perhaps even more disconcerting was the tone of the statement draft McPherson sent to Johnson; rather than throwing cold water on the report, the draft opted for faux sincerity, thanking the commission for a report that “speaks to every American citizen concerned about the quality of life in our towns and cities” and expressing the president’s gratitude for laying the groundwork for “a national dialogue—and, more important, a national movement of good will to assure both order and justice for all citizens.”²⁹² The statement mentioned the commission’s efforts with creating jobs and improving education and health care as well. McPherson recommended that Johnson issue the statement “in the form of a wire from you to Kerner” as a show of gratitude, though he added it “in no way commits you and leaves you free” to decide how to respond.²⁹³ In the mean time, the Budget Bureau would analyze the findings and offer its own review; “we have a good story to tell about what we are doing and why we are not doing some of the things the commission recommends

²⁹¹ *Ibid.*

²⁹² Harry McPherson to Lyndon B. Johnson, “Draft/Statement from LBJ on Commission Findings,” Mar. 1, 1968, Folder 16, Box 39, FG 690, NACCD, CF, LBJ Library, Austin, TX.

²⁹³ McPherson to Califano, Mar. 1, 1968, Folder 16, Box 39, FG 690, NACCD, CF, LBJ Library, Austin, TX.

and we ought to get it out promptly,” McPherson wrote.²⁹⁴ If Kerner sent the letter to others, McPherson believed it could “place some of the heat on the local level and on the Congress, where it belongs.”²⁹⁵

As Johnson visited Puerto Rico, Christian fielded questions on March 2 regarding the president’s response to the report back in Washington. “The president wants to do everything he can in this field, and the report will be very carefully considered,” Christian told the media.²⁹⁶ Asked if the report might make Johnson more resigned about impending racial violence, Christian replied: “he certainly expects some problems to continue.”²⁹⁷ While many waited for Johnson’s response, commissioners like Fred Harris thanked the president. “I have done my best to give the job the ‘objectivity and hard work’ you asked for when you called me that night,” Harris wrote, adding that though it was “not a pleasant or easy task,” he was grateful to Johnson “for giving me this opportunity to learn and grow as a person...I truly believe that we have produced an honest and truthful report which I hope will be a blueprint for our country for many years to come.”²⁹⁸ On *Face the Nation*, Lindsay passed on the opportunity to criticize the president’s slow response; when asked why commissioners had not spoken with Johnson before releasing the report, the New York mayor was “emphatic that that was not

²⁹⁴ *Ibid.*

²⁹⁵ *Ibid.*

²⁹⁶ “Kerner Panel Report Stirs Reservations,” *The Washington Post*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.; Herbers, “Congress Dispute Rises,” *The New York Times*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²⁹⁷ Farrar, “Riots Report Hit, Defended in Congress,” *Chicago Tribune*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

²⁹⁸ Fred Harris to Lyndon B. Johnson, Mar. 4, 1968, “2/28/68-3/13/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

expected by any member.”²⁹⁹ A few days later, Lindsay again ducked a question on the president’s silence, calling the finished product “a very large report that needs lots of review...he has had little time to read it since it was published.”³⁰⁰

Johnson could be forgiven for feeling slighted by the Kerner Commission’s recommendations, which in several instances called for a greater commitment to the same causes, implying that the president had not gone far enough. The commission wanted two million new jobs—one million in the public sector, one million in the private sector—over the next three years to address unemployment; Johnson had aspired to create 500,000 jobs in the same period. The commission set a national housing goal to build six million new units within five years; the president’s housing goal, by contrast, sought to produce six million units over the next decade. A disparity also existed in the first-year goal: the Kerner Commission wanted 600,000 units built, while the Johnson had only called for 300,000 units.³⁰¹ Beyond trumping explicit recommendations, the commission also wanted a guaranteed minimum-income plan with “substantially greater Federal expenditures than anything now contemplated”—a proposal never supported by the Johnson administration—and to increase federal contributions to state welfare programs from 59 percent to over 90 percent as part of welfare reform.³⁰²

²⁹⁹ Fleming to Johnson, Mar. 4, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

³⁰⁰ King, “Lindsay Asks Aid on Riot Program,” *The New York Times*, Mar. 6, 1968, 22L. A separate *Times* report claimed that when the report was released, “some of the commission members, perhaps knowing more than they let on, suggested that the report might have to stand on its own.” “Negroes and Rights,” *The New York Times*, Mar. 10, 1968, E2.

³⁰¹ In a March 7 memo to the president, Secretary of Housing and Urban Development Robert Weaver wrote the president noting the difference between Kerner Commission and White House recommendations. The comparative chart, he wrote, showed that President Johnson had a more realistic plan. Robert Weaver to Lyndon Johnson, Mar. 7, 1968, “2/28/68-3/13/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

³⁰² “Sweeping Reforms to Stem Racial Violence Recommended by President’s Panel on Riots,” *The Wall Street Journal*, Mar. 1, 1968, 4.

A March 5 memo to Califano from Louis Martin, the Deputy Chair for Minorities on the Democratic National Committee, exclaimed that the Kerner report was “getting great reception in the liberal community” for its “forthright approach...to Negro-white relationships in our society.”³⁰³ Martin wrote that he recognized that the “efforts of the Administration to resolve the problems were given little credit and the Commissioners were not realistic regarding taxes and the sources of revenue without which their proposals will die on the vine,” but he also argued it was “an LBJ commission”—in establishing it, the president deserved partial credit.³⁰⁴ Along these lines, Martin expressed hesitancy at “losing any capital we may be building up with the liberal community by nit-picking the report. It seems to me the President might accept the report with praise and use the opportunity to point out that he has been moving in the right direction all along.”³⁰⁵ After all, Martin told his colleague: “the report confirms the wisdom of the president in his civil rights program and proposals.”³⁰⁶ The letter lent credence to the idea, espoused elsewhere, that the report might “convince many Negroes that there are whites in high places who understand and care,” which could be “a first step in restoring faith among Negroes in the Government” based on both the findings and Johnson’s own programs.³⁰⁷ While passing programs might convince African Americans, the ideas in the report, ideally, could “make some impression on white Americans who

³⁰³ Louis Martin (DNC) to Joseph Califano, Mar. 5, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

³⁰⁴ *Ibid.*

³⁰⁵ *Ibid.*

³⁰⁶ Martin to Califano, Mar. 5, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

³⁰⁷ Herbers, “After the Riot Report,” *The New York Times*, Mar. 8, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

ultimately decide the course the country will take.”³⁰⁸ Califano did not editorialize on this letter, but he did forward it to the president for night reading.

If Martin and the commissioners saw the final report as piggybacking on Johnson’s proposals and thus solidifying his ideas, the president did not necessarily see it this way.³⁰⁹ Not only did the Kerner Commission call for new programs, it detailed how the “combined social and welfare programs of the Federal, state, and local governments were reaching only a fraction of those Negroes in need because of poor administration and inadequacy of funds.”³¹⁰ Writing in the *New York Daily News*, Ted Lewis wondered why Johnson had “let the commission report stand for itself” rather than voicing support for it.³¹¹ Lewis speculated Johnson was “unhappy about its strong appeal for drastic crisis-type action” that went “far beyond” anything the White House or Congress had envisioned; he pointed to Johnson failing to “have the commission summoned to his presence...to praise the members for a task well done” as proof that the report had perhaps irked the president.³¹² America needed an explanation as to “why the White House has acted as if the commission’s findings did not have presidential support in full,” why Johnson was in Puerto Rico, where he made no mention of the report or its

³⁰⁸ *Ibid.*

³⁰⁹ Fred Harris believed the recommendations gave the president “greater room to operate and greater hope for his program,” a view that those in the White House inner circle clearly did not share. Herbers, “Congress Dispute Rises,” *The New York Times*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX. Deputy Press Secretary Bob Fleming sent the president portions of the *Issues and Answers* transcript, which included one commissioner asserting, “nothing in the program could be considered criticism of the president.” Fleming to Johnson, Mar. 4, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

³¹⁰ John Herbers, “Riot Panel Fears U.S. May Develop ‘Urban Apartheid,’” *The New York Times*, Mar. 3, 1968, 1.

³¹¹ Ted Lewis, “Capitol Stuff-The President’s Strange Silence on Commission Report,” *New York Daily News*, Mar. 5, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

³¹² *Ibid.*

findings.³¹³ “It was almost as if he considered the commission unmentionable,” Lewis wrote. Prior to his trek to Puerto Rico, Johnson had spoken in Beaumont, Texas, and touted the social welfare spending of his administration compared to past presidents. It was difficult to argue Johnson was being a political realist with the commission, Lewis said, when he so frequently “proposed far-reaching, high-cost social welfare programs” and took what he could get from Congress.³¹⁴ To this end, Charles Bartlett compared Johnson’s predicament to Franklin Roosevelt witnessing Congress “begin to regurgitate his legislative proposals” because it was “asked to swallow more than they can digest, and the President does not have in this election year the air of a man willing to risk congressional indigestion.”³¹⁵ Johnson could point to programs already in place and in the congressional pipeline to liberals clamoring for spending, Bartlett argued; anything more in the current political climate simply would not stick.

As Johnson kept quiet, Liz Carpenter, an aide to the First Lady, wrote to him with a suggestion on how to “recoup our position on the Kerner report.”³¹⁶ The plan entailed taking his wife, Lady Bird, Gov. Kerner, and Washington, D.C. Mayor Walter Washington to church when he returned from Puerto Rico on Sunday, March 4, then embarking on a surprise visit to the largely African American Shaw neighborhood in D.C. There, Carpenter, reasoned, “you have already started what the Kerner report is recommending to other cities” in terms of programs for urban renewal and development.³¹⁷ “You wrote the ORIGINAL script so let’s get the credit with a dramatic

³¹³ *Ibid.*

³¹⁴ *Ibid.*

³¹⁵ *Ibid.*

³¹⁶ Bartlett, “Riot Panel’s Call,” *The Washington Evening Star*, Mar. 5, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

³¹⁷ Liz Carpenter to Lyndon Johnson, Mar. 2, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

quick stop,” Carpenter said; she added that “Walter knows all these people and I believe you could in and out and make some points, and let KERNER help make them by saying that this example inspired parts of the report.”³¹⁸ Johnson liked Kerner personally, and did not hold the report against him—as the forthcoming judicial nomination demonstrated—but Carpenter’s suggestion demonstrated an awareness within the Administration’s inner circle that keeping up appearances would have to suffice for a man who simmered privately at what the commission had handed him.

Johnson finally spoke publicly on the report on March 6 at a meeting with the Joint Savings Bank-Savings and Loan Committee at the White House. He told the twenty-two committee members in attendance that the report was “one of the most thorough and exhaustive studies ever made.”³¹⁹ The president, who divided the report into three categories—what has been done, what has not been done, and what should be done—did not expect approval for every recommendation, but he asked committee members to “do what you can” in supporting the report.³²⁰ While he described it as “prepared by a very distinguished group which worked hard on this project,” Johnson also expressed skepticism at how Congress might receive it.³²¹ “You cannot correct the errors of centuries in four years or forty years. How much more we can get the Congress to do I don’t know,” the president said, but he vowed to do “just as much as that traffic will bear—as much as the Congress and the budget will permit.”³²² He avoided

³¹⁸ *Ibid.*

³¹⁹ Richard McGowan, “LBJ Hails ‘Thorough’ Riot Society,” *New York Daily News*, Mar. 6, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

³²⁰ Carroll Kirkpatrick, “Business Urged to Aid Ghettos,” *The Washington Post*, Mar. 7, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

³²¹ McGowan, “LBJ Hails ‘Thorough’ Riot Society,” *New York Daily News*, Mar. 6, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

³²² Max Frankel, “President Calls Report on Riots Worthy of Study,” *The New York Times*, Mar. 7, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX; McGowan, “LBJ

commenting on the line about America hurtling toward separate societies, and also took the time to “review the achievements of his administration, including the open housing bill now moving through the Senate, and contrasted his ability to enact costly programs with what he called the handwringing and empty talk of past years.”³²³ Along these lines, he lamented: “they always print that we don’t do enough. They don’t print what we do.”³²⁴ What he had done, he reminded committee members and the press in attendance, was increase spending on housing, healthcare, and education from \$9 billion to \$22 billion. The committee pledged to prioritize between \$3-5 billion in credit under Johnson’s model cities program.

The New York Times took Johnson to task for the delayed response and meeting. “It is not easy to twist 250,000 words on the most urgent social problem of the day into a personal grievance, but this is standard operating procedure for President Johnson these days,” James Reston wrote.³²⁵ He excoriated Johnson for “personalizing all problems, seeing everything in terms of personal advantage or disadvantage helps explain the poisonous mood of the capital today,” making it difficult to take an objective approach to pressing issues.³²⁶ “The question becomes not where the cities stand today but where the President stands; not where the nation is but where Lyndon Johnson is; not what the facts of the problem are but what the politics of the problem are,” Reston wrote.³²⁷ By making every political issue about him, Johnson took attention away from an “urban crisis now

Hails ‘Thorough’ Riot Society,” *New York Daily News*, Mar. 6, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

³²³ Frankel, “President Calls Report Worthy of Study,” *The New York Times*, Mar. 7, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX

³²⁴ *Ibid.*

³²⁵ James Reston, “Washington: The Perils of Government,” *The New York Times*, Mar. 8, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

³²⁶ *Ibid.*

³²⁷ *Ibid.*

more dangerous than ever before.”³²⁸ It was, in Reston’s estimation, a remarkably selfish maneuver from a self-proclaimed altruist, a man who had “striven mightily to deal with the problems of the cities and deserves great credit for the progress that has been made.”³²⁹ Writing in *The Washington Post*, Drew Pearson called it “ironic that the President, who has done more for race relations than any President since Abraham Lincoln, is not enthusiastic over the penetrating report,” and that he had “let a whole week go by before giving a guarded comment.”³³⁰

Privately, Johnson stood firm in resentment. A letter from Califano to the president on March 8 indicated that Tex Thornton had spoken to White House assistant James Gaither and “expressed his concern that the Riot Commission may have embarrassed you.”³³¹ Thornton also told Gaither that he agreed with Johnson’s proposals to the Congress and was “troubled by the fact that some of the Riot Commission’s proposals are not realistic.”³³² Gaither seemed to think Thornton might question the report publicly, based on the conversation. Johnson had a two-word, handwritten message in response to the memo: “I agree.”³³³ The exchange validated a report from March 10 suggesting that “the White House was in fact disappointed because the report did not point out progress that President Johnson feels has been made for poor Americans under the Great Society and civil rights programs” and that Johnson felt the “recommendations

³²⁸ *Ibid.*

³²⁹ *Ibid.*

³³⁰ Pearson also elaborated on Johnson’s predicament with Congress. “The position of the President is that you can’t push Congress too hardly and too suddenly,” Pearson wrote. As Johnson himself apparently put it: “if you’re going to drink whiskey, drink a little at a time and you can drink all night. If you drink the whole bottle right away you’ll throw up.” Along the same lines, the White House had to “feed [Congress] legislation in easy doses,” which muddled the water when it came to the Kerner Commission’s goals. Pearson, Pearson, “President Shaken by Riots Study Report,” *The Washington Post*, Mar. 11, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

³³¹ Joseph Califano to Lyndon B. Johnson, Mar. 8, 1968, “2/28/68-3/13/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

³³² *Ibid.*

³³³ *Ibid.*

went far beyond [his] legislative proposals, which are in trouble in an economy-minded Congress.”³³⁴ *Newsweek* quoted a top presidential aide as saying the commission’s report was “an impressive piece of work, a vast piece of goods. Its aims are desirable—but some of it just can’t be done.”³³⁵

In their own correspondence, commission staffers refuted criticisms that the report had not given Johnson enough credit. While celebrating the largely favorable reaction from the media, Henry Taliaferro told Ginsburg he was “puzzled by some press comments to the effect that the report did not recognize how much has been done in the recent past (during President Johnson’s administration and by his leadership) to attack the urban and racial problems which gave rise to the riots of 1967.”³³⁶ He reviewed the report and said anyone lodging this critique “did not read the book” before listing numerous references to Johnson’s programs, leadership, and progress in his time in the White House.³³⁷ Taliaferro quoted directly from the final report the instances where commissioners had praised Johnson for his work on employment, education, welfare, housing, and law enforcement and chided Congress for its inflexibility with these programs. There were plenty of charts in the report that “detailed expenditures made in support of such programs,” as well as direct credit for the Civil Rights Act of 1964, the Economic Opportunity Act of 1964, and improved employment rates during the Johnson Administration.³³⁸ “Any reader will see at once that it was the President’s objectives that guided the commission,” Taliaferro wrote, adding that the “obvious truth is that President

³³⁴ “Negroes and Rights,” *The New York Times*, Mar. 10, 1968, E2.

³³⁵ “Roots of Riot—Call to Battle,” *Newsweek*, Mar. 11, 1968, “Reaction: Pre-Report”; Box 5, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

³³⁶ Henry Taliaferro to David Ginsburg, “Inaccuracy of Press Comments on Report,” Mar. 11, 1968, “2/28/68-3/13/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

³³⁷ Taliaferro to Ginsburg, “Inaccuracy of Press Comments on Report,” Mar. 11, 1968, “2/28/68-3/13/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

³³⁸ *Ibid.*

Johnson has provided the strongest leadership in the fight against racism and poverty” and that this “emerged clearly in the report.”³³⁹ Taliaferro did not attribute the criticism to the White House directly, nor did he offer an indication that anyone on the commission intended to go public with such a rebuttal, but the letter offered proof that the criticism of ignoring Johnson’s work had irritated some involved with the commission’s undertaking.

On March 13, McPherson sent Johnson thirteen letters that awaited a presidential signature. The letters, boilerplate thank-you notes to each commissioner and high-ranking staffer who had served on the Kerner Commission, were drafted by Gaither, edited by Califano and, according to McPherson, made “no reference to the specific proposals which the commission made.”³⁴⁰ Each letter expressed a “deep appreciation for your service on the National Advisory Commission on Civil Disorders” and lauded an “exhaustive study” that could create “a better America for all Americans” by “reaching into the hearts and minds of our citizens.”³⁴¹ They were, Johnson’s aide reminded him, “similar to the letters of thanks which you have sent members of task forces and other commissions.”³⁴²

At 4:20 that afternoon, McPherson received a call from the Oval Office from an angry President Johnson. “I can’t just signed this group of letters,” Johnson said to his aide; “I’d be a hypocrite. And I don’t even want it let known that they got this far, otherwise somebody somewhere will leak that I wouldn’t sign them. Just file them—or

³³⁹ *Ibid.*

³⁴⁰ Harry McPherson to Lyndon B. Johnson, Mar. 13, 1968, Folder 16, Box 39, FG 690, NACCD, CF, LBJ Library, Austin, TX.

³⁴¹ Lyndon B. Johnson, (Rejected) Thank-you notes to Kerner Commission and High-Ranking Staffers, March 1968, Folder 16, Box 39, FG 690, NACCD, CF, LBJ Library, Austin, TX.

³⁴² McPherson to Johnson, Mar. 13, 1968, Folder 16, Box 39, FG 690, NACCD, CF, LBJ Library, Austin, TX.

get rid of them.”³⁴³ Ten days after the report’s full release, Johnson’s refusal to sign thank-you notes provided the most direct indication yet of just how he felt about the Kerner Commission’s final report. His delayed response had not been a coincidence, nor had the decision to scrap a White House meeting with the eleven commissioners on the eve of the report’s release. If he bristled at signing thank-you notes, it was fair to assume that he also bristled in private at the details of the thick report’s recommendations. Whether this was due to the report not giving him full credit, the recommendations making him look bad, the recommendations putting him in an untenable position with Congress, or with Vietnam, or with the American people, or a combination of these reasons, what was now evident was that the man who had founded the Kerner Commission wanted to forget that it ever existed. He had signed his name welcoming them to the White House seven-and-a-half months earlier, but he had no desire to bookend that signature with a “thank you” for a report that he did not appreciate. He was not about to fake sincerity with a second signature when he seemed to believe that the first signature had been a mistake.

The Cabinet meeting that Johnson had led earlier that afternoon, March 13, had likely not helped his mood before he telephoned McPherson. The meeting lasted an hour, twice as long as the planned schedule indicated. Johnson spoke about the Kerner Commission about ten minutes into the meeting, telling Cabinet members he had instructed his budget director to analyze the recommendations and divide them into four categories: “1. Things we are doing now. 2. The things which are left to be done by other than the federal government—where we can stimulate and encourage these activities” 3.

³⁴³ Lyndon B. Johnson to Harry McPherson, Mar. 13, 1968, Folder 16, Box 39, FG 690, NACCD, CF, LBJ Library, Austin, TX.

The things covered by our present legislative program—for example, rent supplements and poverty funding. 4. The things we haven't yet embraced—so that the planners in each Department may consider their feasibility.”³⁴⁴ New programs would cost money, Johnson told the Cabinet. “If we funded all the Commission’s recommendations now, it would add several billion dollars to the FY (fiscal year) 1969 budget and an estimated \$75-100 billion over several years,” the president said.³⁴⁵ Top priority was “getting a favorable response from Congress on our present requests,” he added; “as I read the Congressional mood, non-Vietnam expenditures will probably be reduced by at least \$5 billion from our requests—and by even more if we don’t get the tax bill.”³⁴⁶ He predicted that while Congress increased the budget at the moment--\$91 million for school aid to impacted areas and \$25 million for the Headstart program, he told them---that would soon change. Johnson challenged each Cabinet member to “take a hard look” at costs, ranging from the new programs put forth by the Kerner Commisison in terms of “feasibility and cost” to “opportunities for reductions in your present budget if Congress begins to cut back.”³⁴⁷ Johnson concluded: “if you get your allowance cut from \$100 a month to \$50 a month, you must know where to spend what’s left.”³⁴⁸

From here, Johnson ceded the floor to Attorney General Ramsey Clark, who spoke first on Martin Luther King Jr.’s planned demonstrations in Washington in April. If the House passed the civil rights bill with an open housing component, Clark said, it would decrease the chances of a King-led march. Johnson interjected on the legislative

³⁴⁴ Lyndon B. Johnson, Minutes of White House Cabinet Meeting, Mar. 13, 1968, “Cabinet Meeting, 3/13/68,” Box 13, Office Files of Joseph A. Califano Jr., LBJ Library, Austin, TX.

³⁴⁵ *Ibid.*

³⁴⁶ *Ibid.*

³⁴⁷ Johnson, Minutes of White House Cabinet Meeting, Mar. 13, 1968, “Cabinet Meeting, 3/13/68,” Box 13, Papers of Califano, LBJ Library, Austin, TX.

³⁴⁸ *Ibid.*

matter: “if any Cabinet member has a ‘deposit in the bank’ with any House member—particularly Republicans or Southern Democrats—now is the time to use it...as of today, we don’t have the needed votes and must go out and get them.”³⁴⁹ Clark continued by asserting that there was an “excellent chance” to prevent riots the upcoming summer and by crediting the Kerner Commission’s report as “most helpful in encouraging the right attitude” toward riot prevention.³⁵⁰ “Mayors and Police Chiefs are more willing to ‘say things that were politically unacceptable’ before the Kerner Commission said them,” Clark said to Cabinet members.³⁵¹ The attorney general also pointed to the jobs program as crucial in curtailing riots before President Johnson reiterated that each attendee needed to “study the Kerner Commission report—analyze how you would implement its provisions—and make recommendations to the President.”³⁵² After requesting a “brief analysis of the primary situations” in several states in advance of the upcoming election, Johnson stated that “up to Convention time, he planned to put the highest priority on problems in the world, the cities, and in the economy” and “do the best he can and let the primaries take care of themselves.”³⁵³

While Johnson had made his feelings known on the Kerner Commission and its recommendations to McPherson and members of his Cabinet, neither instance was a public response. Liberal members of Congress had grown impatient with his lukewarm reception to the report. At the forefront of the criticism were New York senators Jacob Javits and Robert Kennedy, members of a Senate Labor Subcommittee, along with

³⁴⁹ Ramsey Clark, Minutes of White House Cabinet Meeting, Mar. 13, 1968, “Cabinet Meeting, 3/13/68,” Box 13, Office Files of Joseph A. Califano Jr., LBJ Library, Austin, TX.

³⁵⁰ *Ibid.*

³⁵¹ *Ibid.*

³⁵² Johnson, Minutes of White House Cabinet Meeting, Mar. 13, 1968, “Cabinet Meeting, 3/13/68,” Box 13, Papers of Califano, LBJ Library, Austin, TX.

³⁵³ *Ibid.*

Pennsylvania's Joseph Clark, who spoke to Harris, Lindsay, and Kerner. The three commissioners were on the Senate floor in support of a bill proposing to create 2.4 million jobs for the "hardcore unemployed" over a four-year period, which would cost an estimated \$10.3 billion.³⁵⁴ Given the commission's own employment recommendations, the three commissioners speaking on behalf of the proposal made sense. Javits, who said he had "no desire to see the Administration fall on its face on this," hoped that Johnson "had the wit to do his duty" and called on him to respond in earnest to the commission's report lest he "make a mess of this in the 1968 [presidential] campaign."³⁵⁵ It was "fantastic" in the worst sense of the word, Javits said, that Johnson had "remained silent."³⁵⁶

Kennedy, rumored to be considering a presidential run and thus emerging as a Democratic challenger to Johnson, decried the "lack of urgency" from the president and called the issues addressed in the final report "the greatest crisis to face the country in 100 years...we need the Executive—the President—to support a program, to make concrete suggestions, and we haven't had that at all."³⁵⁷ Kennedy scoffed at the White House using a "commission and a day of prayer" to solve the issue and then not offering

³⁵⁴ Aldo Beckman, "Kerner Scores Officials Who Predict Riots," *Chicago Tribune*, Mar. 13, 1968, "Reaction: Post-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX. According to the Washington Post, "half the total [jobs] would come from Federal support of local public service jobs in such fields as education and conservation," while the other half "would be provided by Government-subsidized job training in private industry." The bill called for 450,000 jobs by June 1969, compared to Johnson's own proposal of 500,000 new jobs within three years, 100,000 of them by June 1969. William Chapman, "Administration is Criticized For Inaction on Riot Report," *The Washington Post*, Mar. 14, 1968, A6.

³⁵⁵ Oswald Johnston, "Riot Study Hush Angers Senators," *The Baltimore Sun*, Mar. 13, 1968, "Reaction: Post-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX; Richard Madden, "Kennedy, Clark, and Javits Assail Johnson for Not Actively Backing Riot Data," *The New York Times*, Mar. 14, 1968, "Reaction: Post-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

³⁵⁶ Chapman, "Administration Criticized For Inaction," *The Washington Post*, Mar. 14, 1968, A6.

³⁵⁷ Beckman, "Kerner Scores Officials," *Chicago Tribune*, Mar. 13, 1968, "Reaction: Post-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX; Johnston, "Riot Study Hush Angers Senators," *The Baltimore Sun*, Mar. 13, 1968, "Reaction: Post-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

a word on the commission findings when released.³⁵⁸ “Let’s get on with it...I don’t see how the country can go along without the direction that’s so desperately needed,” he said.³⁵⁹ The former attorney general wanted a plan of action; in a press conference later in the day, Kennedy told reporters that he was so irritated with Johnson’s silence on the report that he was “reassessing his political plans.”³⁶⁰ He pressed Kerner on the president’s lackluster response on the Senate floor; when the chairman “noted the broad range of social programs President Johnson has pressed through to enactment,” Kennedy, with an “inflection of incredulity” in his voice, asked: “Do you find that satisfactory? Is it possible that what we are doing right now is satisfactory?”³⁶¹ Kerner refused to condemn Johnson, though Lindsay, while he avoided offering a direct criticism, was asked if the White House response was sufficient. “Not as yet,” he answered.³⁶²

Sales of the Kerner Commission report indicated that beyond the media and members of Congress pummeling Johnson for his inaction on the report, it was fair to wonder if the general public had become restless as well. The paperback edition of the report, released on March 3, had sold a staggering 740,000 copies in its first ten days in print. Copies of the report were “being purchased in bulk quantities by civic organizations, industry, libraries, colleges, and police departments” across the country at

³⁵⁸ Madden, “Kennedy, Clark, and Javits Assail Johnson,” *The New York Times*, Mar. 14, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

³⁵⁹ *Ibid.*

³⁶⁰ Chapman, “Administration Criticized For Inaction,” *The Washington Post*, Mar. 14, 1968, A6.

³⁶¹ Johnston, “Riot Study Hush Angers Senators,” *The Baltimore Sun*, Mar. 13, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

³⁶² Chapman, “Administration Criticized For Inaction,” *The Washington Post*, Mar. 14, 1968, A6; Kerner also expressed frustration with those who forecast riots, saying that too many were “talking about how many riots we’re going to have this summer instead of trying to find the causes of them. This problem won’t take immediate massive programs, but it will take sincerity.” Beckman, “Kerner Scores Officials,” *Chicago Tribune*, Mar. 13, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

\$1.25 per book.³⁶³ The report's publisher, Bantam, admitted that it had "underestimated the impact of the document" with a first printing of 250,000 in the belief that "only social welfare groups, federal, and city officials would want to read it."³⁶⁴ Bantam editorial director Marc Jaffe estimated that at the current rate of sale, the paperback edition of the final report would sell one million copies before the end of March, surpassing sales of the Warren Commission in October 1964. Whether or not the bulk of purchases constituted agreement with the commission, the numbers hardly conveyed apathy; the American public was interested in what the Kerner Commission had to say, and it seemed reasonable that they were also interested in what the president had to say about what the commission had provided him.

Commission staffers received a few proposals that sought to "actualize" the report recommendations beyond the noted channels.³⁶⁵ Arthur Brackman's comprehensive memo to Alvin Spivak suggested forming an Institute of Urban Communications that would involve organizing and sponsoring workshops, recruiting and training more black journalists, mobilizing privately and publicly to challenge more discrimination structures with African Americans in the media, and launching an "urban news service" to improve dispatches from inner cities.³⁶⁶ Brackman also proposed a "100 Days" program that he labeled a "100-day educational crusade—a plan for enlisting the masses in a summer-long campaign to put teeth in the Riot Commission's report."³⁶⁷ The program would seek to rally public opinion to "demand Congressional and other implementation" of the

³⁶³ Henry Raymont, "Riot Report Book Big Best Seller, *The New York Times*, Mar. 14, 1968, 49.

³⁶⁴ *Ibid.*

³⁶⁵ Arthur Brackman to Alvin Spivak, "Prospectus from Institute on Urban Communications," Mar. 11, 1968, "Arthur Brackman," Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

³⁶⁶ *Ibid.*

³⁶⁷ Arthur Brackman to David Ginsburg, "100 Days Prospectus," Mar. 19, 1968, "Arthur Brackman," Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

recommendations while also “showing the Negro community that millions of white Americans are working desperately on their behalf and enlisting Negro support on behalf of these constructive rather than destructive efforts.”³⁶⁸ The “100 Days” campaign would last through the summer, using every medium possible, from TV and radio to “pulpits, rostrums, schoolrooms, stages, and movies” to convey the “urgency of a plan.”³⁶⁹ The campaign needed money and an African American luminary to lead the charge, Brackman said. White House fellow Timothy Wirth wanted a focus on “the need for stimulating greater citizen action” through a conference on citizen participation spearheaded by the president and the establishment of a Foundation for Volunteer Action, as suggested in the report.³⁷⁰ The conference would “outline broad guidelines for community response to the call for broader citizen participation” in accordance with the recommendations.³⁷¹ “I am operating on the assumption that time is extremely important, and the longer the time gap following the Kerner Report submission, the more difficult it becomes for the Administration to respond,” Wirth wrote.³⁷² The Urban League announced it had plans for a summer “cultural-enrichment program,” contingent on volunteer participation where “white youngsters would study the Negro heritage and perhaps live in Negro homes” with a goal of “closing the gap between the races.”³⁷³ Such proposals hoped to have the backing of legislative and executive officials, but they relied more on the grassroots approach within communities. Grassroots organizing was a tried-and-true tactic, but the political climate afforded little faith in Congress or the Johnson

³⁶⁸ *Ibid.*

³⁶⁹ *Ibid.*

³⁷⁰ Timothy Wirth, “Reaction to Kerner Report,” Mar. 27, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

³⁷¹ *Ibid.*

³⁷² *Ibid.*

³⁷³ Martin Weil, “League Program Seeks to Close ‘Racial Gap,’” *The Washington Post*, Mar. 23, 1968, B4.

White House to devote full attention to the Kerner report. If they would not, then perhaps citizens across the country would answer the call.

On March 15, Johnson held an initially unpublicized meeting with African American editors and publishers at the White House.³⁷⁴ When an editor in attendance asked Johnson what he thought of the Kerner report, he rehashed the same thinking from the Cabinet meeting two days earlier, informing the audience that he had read the report, spoken with Cabinet members about it, and divided the recommendations into several categories for evaluation. He continued that the Kerner Commission had submitted “the most important report to me since I have been President” and said, “in addition to the specific recommendations, the final result concerning the cause of the problems primarily revolving from white racism was an important factor.”³⁷⁵ It was here that the smooth talk ended; Johnson told the publishers that many of the recommendations were not practical and that he could not possibly get Congress to allocate the necessary funding for every endeavor. “I do not think it can or will be fully implemented this year,” Johnson said, in reference to the report’s recommendations.³⁷⁶ Notes from the meeting indicated he also told publishers: “there is no sense of holding out false hopes or expectations” on the \$80 billion price tag on the recommendations.³⁷⁷ “I can’t get that,” he told them.³⁷⁸ As with his previous comments on the report, the president seemed a bit defensive. “I set up that

³⁷⁴ *Jet* reported on the meeting nearly two weeks after it had taken place.

³⁷⁵ “Notes on White House Meeting with Negro Editors and Publishers,” Mar. 15, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

³⁷⁶ “Jet Magazine Says Johnson Doubts Riot-Study Funding,” Mar. 28, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

³⁷⁷ There is a discrepancy between reports about how much the president told the African American publishers that the Kerner Commission recommendations would cost. Notes from the meeting and the *Jet* report indicated he said \$80 billion, while a UPI report stated he thought the number was only \$30 billion. “White House Meeting with Negro Publishers,” Mar. 15, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

³⁷⁸ UPI-38 Press Release, “Riots Report,” Mar. 28, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

commission...I'm the daddy of it," Johnson told those present; "I picked the men on it...I gave them over a million dollars, more than ever has been spent on a study before."³⁷⁹

He considered himself "more practical than some of those who wrote the report and some of the staff who sent it to me," and said he viewed the report as a launching point.³⁸⁰

"First thing we have got to do is find the money," Johnson said.³⁸¹ "They didn't touch upon that problem," which he analogized to "saying we need sirloin steaks three nights a week, but we only have the money to pay for two steaks."³⁸² Securing the funds for the metaphorical third steak, he said, started with his proposed tax bill.

On the same day, Budget Bureau director Charles Zwick sent a memo to Johnson that addressed the Kerner Commission's recommendations. Zwick told Johnson that preliminary analysis from the Office of Economic Opportunity "strongly supports almost all of the Commission's recommendations in the area of private employment, education, welfare, and housing," with some minor disagreements, and also gave full-throated support to "decentralization of city government" recommended in the commission's "Community Response" chapter.³⁸³ The OEO analysis acknowledged the costs of recommendations but did note that most "require no new legislative authority."³⁸⁴ Zwick also reported that the Department of Commerce "concurs with the commission that a Federal strategy for the cities is needed" and acknowledged this would require additional

³⁷⁹ "Jet Magazine Says Johnson Doubts Riot-Study Funding," Mar. 28, 1968, "Reaction: Post-Report," Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

³⁸⁰ "White House Meeting with Negro Publishers," Mar. 15, 1968, "3/14/68-6/15/68," Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

³⁸¹ *Ibid.*

³⁸² "White House Meeting with Negro Publishers," Mar. 15, 1968, "3/14/68-6/15/68," Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

³⁸³ Charles Zwick to Lyndon B. Johnson, Mar. 15, 1968, "3/14/68-6/15/68," Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

³⁸⁴ *Ibid.*

funding and legislation.³⁸⁵ The U.S. Army, meanwhile, found the recommendations on “planning for civil disturbance control” to be “feasible within the existing Army budget.”³⁸⁶ On the whole, Zwick told his boss, the Budget Bureau staff had run numbers and assessed that the recommendations would have a significant impact on the budget, increasing it by about \$25 billion from 1969 to 1971. “It would not be feasible to implement all the proposals immediately so the estimated add-on in outlays in fiscal 1969 would be about \$10 billion,” Zwick said.³⁸⁷ His staff was in the process of preparing more detailed analysis, which he thought would be available by early April. Zwick told Johnson in closing that he would offer day-to-day updates on “significant findings.”³⁸⁸

Johnson did not reply to this memo, but he now had substantive proof that the Kerner Commission’s recommendations were too ambitious and would need curbing if implemented in the short term. Nevertheless, he had remained tight-lipped on the report with the exception of the March 6 meeting with the Joint Savings Bank-Savings and Loan Committee. *The New York Times* again reprimanded Johnson for his “evasion of responsibility” in not speaking on a report with “overwhelmingly favorable” feedback.³⁸⁹ “The President and the nation are like mountain climbers who have gone a third of the way up Mount Everest” when it came to the civil rights movement, the *Times* wrote in an editorial.³⁹⁰ It was “no small feat to have climbed so far, but it still not the same as reaching the top, and the longer and harder part of the journey still lies ahead.”³⁹¹

³⁸⁵ *Ibid.*

³⁸⁶ *Ibid.*

³⁸⁷ *Ibid.*

³⁸⁸ Zwick to Johnson, Mar. 15, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

³⁸⁹ “On Reading the Riot Report,” *The New York Times*, Mar. 21, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

³⁹⁰ *Ibid.*

³⁹¹ *Ibid.*

Democratic presidential candidates Eugene McCarthy and Robert Kennedy had spoken in favor of the Kerner Commission, so why not Johnson? Progress would not come “if the man in that pulpit stands mute or querulous.”³⁹²

In fact, Liz Carpenter sent a memo to both President and Mrs. Johnson three days prior, which quoted longtime Roosevelt and Truman adviser Anna Rosenberg, that seemed to agree. “We need to dramatize other things in the President’s program,” Rosenberg had told Carpenter, including “picking up the Kerner report even at this date to say, ‘I have now had a chance to read it carefully, and I feel that it has many points to pursue.’”³⁹³ She pointed to the president’s open housing message as an example. Rosenberg also had a parting shot for Bobby Kennedy, who had announced his entrance into the presidential race on March 16, branding him as “cheap and crooked” and that “this will come through and all we have to do is simply be above him.”³⁹⁴ Aide Douglass Cater sent Johnson a memo on March 22 suggesting that he “review publicly the Budget Bureau analysis of the Kerner Commission report” in conjunction with some other kind of initiative, in this instance announcing the head of the Urban Affairs Institute.³⁹⁵ “I believe this would be a good opportunity to respond to the critics by showing that you are taking calm, deliberative actions on city problems while others are striking emotional postures,” Cater wrote.³⁹⁶ Asked if a work conference in the Rose Garden that invited “leaders on the urban front” to “demonstrate your keen interest in the multi-prong effort [that] has begin with your leadership and encouragement” was something he would favor,

³⁹² *Ibid.*

³⁹³ Liz Carpenter to Lyndon and Lady Bird Johnson, Mar. 19, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

³⁹⁴ *Ibid.*

³⁹⁵ Douglass Cater to Lyndon B. Johnson, Mar. 22, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

³⁹⁶ *Ibid.*

Johnson marked an “X” next to the “YES” line at the end of the memo.³⁹⁷ No further details were provided on when this meeting would occur.

At a March 22 White House press conference, Johnson finally addressed his stance on the report at length. A reporter noted there had been “some people in public life who expressed disappointment that you did not react the way they felt you should to the report of the commission you appointed on civil disorders” and asked if he could “tell us how you feel about the come of this criticism and about the report.”³⁹⁸ Johnson replied that he was unaware of the criticism and that he “thought [I] picked a very good commission...I tried to select men of ability and dedication and competence in this field.”³⁹⁹ He denied having any contact with commissioners after appointment or that he “explained to them the kind of study I hoped could be made.”⁴⁰⁰ The White House had cooperated, “provided a good many Government people,” and received the report, which Johnson said was “a very thorough one, very comprehensive, and made many good recommendations,” though he admitted that he did not agree with all recommendations.⁴⁰¹ “We felt that overall the commission wanted to be and was constructive and helpful,” Johnson said.⁴⁰² There were certainly differences between existing proposals and the commission’s recommendations, but given that the commission did not offer exact costs, he did not give the press specifics. Johnson used housing as an example of both the overlap and difference between the Administration’s “cities message” and the Kerner report: “We recommended all that we thought we could

³⁹⁷ *Ibid.*

³⁹⁸ Lyndon B. Johnson White House Press Conference Remarks, Mar. 22, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

³⁹⁹ Johnson Press Conference, Mar. 22, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

⁴⁰⁰ *Ibid.*

⁴⁰¹ *Ibid.*

⁴⁰² *Ibid.*

get the Congress to act upon--\$6 million over this period of time—and it represented a great acceleration. The commission felt that it should be more. I would not oppose more if we could get more and if we could get more funded, but we recommended what we thought we could build, realistically, and what we could get funded.”⁴⁰³

The president told reporters that he asked each Cabinet officer to divide the recommendations into three phases: recommendations for programs that already existed and seeing how to improve upon them; recommendations on programs requested by the White House, including housing, jobs, employment, and civil rights issues, and to try and accelerate them; and lastly, items recommended that the Johnson administration had yet to act upon, or measures that certain Cabinet officers believed needed addressing.

Johnson continued:

We don’t agree with everything in this report and they don’t agree with everything we are doing. But there is a general ‘simpatico’ of views, I think, between the Cabinet officers who handle these programs and the recommendations of the commission. In some cases there is a different sum, and amounts and emphasis. We think it was a good report made by good men of goodwill that will have a good influence. We hope that every person in the country can read it and try to take action as they can to implement it.⁴⁰⁴

Johnson rattled off the names of officials and civil rights leaders with whom he had spoken about the civil rights issue, and said that “some of our people talked to the leaders in the Senate and House” and that all wanted to “take action on every recommendation that we can embrace that they think would be helpful.”⁴⁰⁵ He had detailed comments from some officials on portions of the report, and read, as an example, comments from the Department of Commerce from what Zwick had sent to him the previous week. The

⁴⁰³ *Ibid.*

⁴⁰⁴ Johnson Press Conference, Mar. 22, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

⁴⁰⁵ *Ibid.*

president had instructed various departments to examine whether allocated funds might need to go elsewhere in line with recommendations, whether existing funds might satisfy some recommendations, which ones simply did not work with budget constraints, and how many state, local, and private agencies could potentially “promote adoption and acceptance of the commission’s recommendations.”⁴⁰⁶ With that, Johnson, moved on to another topic.

The president addressed the report in a noncommittal way, and he did so as the Kerner Commission’s aperture for attention in the news cycle seemed to close. On March 26, CBS announced that it would air a special on April 23 titled, “What Happened to the Riot Report?” that planned to delve into both “encouraging signs” like the “community-level response to the report” and “discouraging signs” like the “limited action and inaction at the higher levels of government.”⁴⁰⁷ Correspondents would assess how well programs had been implemented, and whether the Congress’s “austerity” measures had any effect on the recommendations.⁴⁰⁸ With Johnson’s displeasure known and waning optimism on congressional action, front pages turned to the presidential race, shaken now by Kennedy’s entry and Nixon’s dominance in New Hampshire in Republican ranks.

As Johnson hesitated to speak on the Kerner report before eventually offering a few half-hearted public responses in contrast to his private displeasure, the Vietnam War cast a shadow over his every move. On the heels of the January Tet Offensive and accelerated numbers of U.S. troops to Vietnam with seemingly no end in sight, Johnson had lackluster approval ratings and a vocal anti-war movement brimming with rage and

⁴⁰⁶ *Ibid.*

⁴⁰⁷ “CBS News Special Report Examining ‘What Happened to Riot Report,’” Mar. 26, 1968, “3/22/68-3/27/68,” Box 388, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁴⁰⁸ *Ibid.*

demanding new leadership. The commission had not mentioned the Vietnam War, but in a report deemed “as electrifying as the summer riots that brought it into being,” it seemed clear to many Americans that the White House had a “long overdue reordering of priorities in Washington—a turn toward de-escalation of the military combat in Vietnam and escalation of the war against poverty and discrimination at home.”⁴⁰⁹ Carl Stokes stated on *Meet the Press* that “we don’t need to scrap the Vietnam War to fulfill these obligations” and said Johnson was “less guilty than Congress in using Vietnam to cut or block domestic programs,” but many saw a direct correlation between the billions funneled into the war and a report that called for massive increases in funding to save American cities.⁴¹⁰ Harris, Lindsay, and Wilkins did not advocate withdrawing from Vietnam, but each intimated that crises in the cities needed to have as much if not more priority than the war. Jack Gould noted that the round-the-clock television coverage of the report helped “bring the racial issue into unusually sharp focus in a given 24 hours and to leave scant doubt that the destiny of the Negro at home and the cost of the war overseas will not be easily separated in the political campaign months to come.”⁴¹¹

Johnson’s attempted tax hike aimed at the war while overlooking the Kerner Commission’s findings ensured that the report would have a link to Vietnam and the enormous spending it required. “Money cannot go to the Vietnam War and the race war at the same time,” Drew Pearson wrote; the notion that the U.S. would need to spend “as much at home as we are in Vietnam or else experience guerilla fighting here as well as in

⁴⁰⁹ “Separate and Unequal,” *The New York Times*, Mar. 2, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁴¹⁰ *Meet the Press* Transcript, NBC, Mar. 3, 1968, “Press Releases and Transcripts,” Box 1, Series 15, NACCD, RG 282, LBJ Library, Austin, TX

⁴¹¹ Gould, “TV: The Report on Civil Disorders,” *The New York Times*, Mar. 5, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

Saigon,” lest the nation become “another South Africa,” undoubtedly rankled White House officials.⁴¹² Nixon’s aforementioned linking of violence in Vietnam to violence in cities did not diffuse comparisons in the election cycle, either. “When historians look back over the torturous and melancholy path of the Vietnam War,” James Reston wrote, they would invariably find that the “personal element in decision-making is extraordinarily high” in an Administration fronted by a man who reportedly said, “I am not going to be the first America President to lose a war.”⁴¹³ The White House had become “prisoners of their own propaganda” on Vietnam, he said, a place where “loyalty...is prized above objectivity” and a refusal to admit past fault would only guarantee a bleaker future.⁴¹⁴ Like Vietnam, the urban crisis required a “most scrupulous analysis of the facts” on “the scale of its importance.”⁴¹⁵ Johnson’s intractable approach to the war offered little confidence, Reston wrote, that he would cast laurels aside and realize that the problems of the cities required more work. *The Wall Street Journal* reported that Johnson’s “decision-making leaves key lieutenants in the dark...Pentagon officials have hardly an inkling what he’ll do about new manpower requests for Vietnam—or when he’ll do it.”⁴¹⁶

Vietnam was the lead topic at the aforementioned March 13 Cabinet meeting. Military officials now had a “better evaluation of the impact of the Tet Offensive” six weeks after it occurred.⁴¹⁷ On one hand, the enemy had “failed to achieve his most

⁴¹² Pearson, “President Shaken by Riots Study Report,” *The Washington Post*, Mar. 11, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

⁴¹³ Reston, “The Perils of Government,” *The New York Times*, Mar. 8, 1968, “News Clippings,” Box 6, Series 47, NACCD, RG 282, LBJ Library, Austin, TX.

⁴¹⁴ *Ibid.*

⁴¹⁵ *Ibid.*

⁴¹⁶ “Washington Wire,” *The Wall Street Journal*, Mar. 8, 1968, 1.

⁴¹⁷ Minutes of White House Cabinet Meeting, Mar. 13, 1968, “Cabinet Meeting, 3/13/68,” Box 13, Papers of Califano, LBJ Library, Austin, TX.

important goal” of holding attacked cities and garnering popular support; on the other hand, the offensive was an “adverse psychological blow dealt to the South Vietnamese people...the fact that the enemy could penetrate 34 cities—including Saigon and the American Embassy—was a devastating morale blow.”⁴¹⁸ With the concession that alliances, both political and religious, remained fragile in South Vietnam, officials discussed three options: “go all out to achieve a military victory,” which meant more bombing and more troops deployed; “maintain the present level of activity” and continue a war of attrition; lastly, contingent on “analysis of the viability of the South Vietnam government and its army,” America could “withdraw from constant contact and use our forces as a protective shield,” which might ward off “subjugation of South Vietnam while its government proved that it was a viable political unit.”⁴¹⁹ Johnson then asked Secretary of State Dean Rusk his thoughts on the situation. Rusk replied that the Vietnam problem had become a Southeast Asia problem and that “we should focus realistically on the meaning of alternatives that confront us.”⁴²⁰ Rusk did not believe many Americans wanted full withdrawal from South Vietnam immediately, but they did support “moves which must inevitably lead to withdrawal.”⁴²¹ The Tet Offensive had weakened morale, and that needed to change; furthermore, Rusk told his colleagues, “we are being tested here at home,” in reference to the Kerner Commission.⁴²² If America did not “keep our

⁴¹⁸ *Ibid.*

⁴¹⁹ *Ibid.* In her letter to President and Mrs. Johnson dated March 19, Liz Carpenter wrote that Anna Rosenberg urged U.S. Ambassador to the United Nations Arthur Goldberg and newly minted Secretary of Defense Clark Clifford travel to North Vietnam and “say, ‘What does it take to make peace?’” She reasoned that the “dramatic gesture, even if it failed, at least illustrates how serious the President is about his intentions.” Carpenter to Johnsons, Mar. 19, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁴²⁰ Minutes of White House Cabinet Meeting, Mar. 13, 1968, “Cabinet Meeting, 3/13/68,” Box 13, Papers of Califano, LBJ Library, Austin, TX.

⁴²¹ *Ibid.*

⁴²² *Ibid.*

word in Southeast Asia, the inevitable result would be isolationism.”⁴²³ Johnson told Cabinet members he could not “emphasize too strongly the critical nature of this situation,” and that as president he had “responsibility of searching for and arriving at the proper solution.”⁴²⁴ It was frustrating, he said, feeling like “a football coach after the Thanksgiving game listening to the Monday morning quarterbacks... This is particularly true of certain Congressional leaders.”⁴²⁵ He did not name names.

The lingering doubt about strategy and results in Vietnam indicated that in March 1968, Johnson was besieged on two fronts, both at home and abroad. Ramsey Clark could barely finish a speech at the University of Wisconsin on March 28 whereby he called Johnson the “greatest doer I have ever witnessed” to a chorus of hissing and boos.⁴²⁶ Clark, in Madison to speak on behalf of the president in advance of the Wisconsin primary as part of an escalated effort to rebuke Kennedy’s entrance into the race, first received “stony silence” from the crowd as he “blamed Hanoi for blocking peace in Vietnam...the hissing came when [he] defended the Administration against charges that Vietnam spending is blocking progress at home.”⁴²⁷ Clark admitted that the Administration “need[ed] to do much more than has been done,” but he also touted how it had “in the past four years...done much more to remedy social ills than ever before.”⁴²⁸ After students proclaiming themselves as part of the resistance movement against the war handed in their Selective Service classification cards to interrupt a subsequent press conference, Clark defended Johnson against Kennedy’s complaints that the White House

⁴²³ *Ibid.*

⁴²⁴ *Ibid.*

⁴²⁵ *Ibid.*

⁴²⁶ David Broder, “RFK to Run in In.; Clark’s Talk Hissed,” *The Washington Post*, Mar. 28, 1968, A1.

⁴²⁷ *Ibid.*

⁴²⁸ *Ibid.*, A6.

had a “cool response” to the Kerner Commission’s report.⁴²⁹ Clark reiterated that the president had “ordered to do ‘everything practicable’ to carry out the commission’s recommendations” before lobbing a Shakespearean barb at Kennedy, his former boss at the Department of Justice: “it’s easy enough like Laertes to leap into Ophelia’s grave and show them how torn up you are about things. But what does that accomplish?”⁴³⁰

Kennedy himself spoke at Brigham Young University on the same day; he did not mention the Kerner Commission or Vietnam by name, but called for “new kinds of organizations, small in size and scale, working in neighborhoods, able to establish that sense of personal concern and co-operation we have lost all too often with the growth of government.”⁴³¹ In a fledgling campaign that had started to gain momentum, the New York senator called for an ambitious employment program—“what is needed is not handouts but jobs for men and women able to work,” he said—and tax incentives for private business to set foot in ghettos, making government an “employer of last resort.”⁴³² A *Wall Street Journal* dispatch indicated “much of Johnson’s party support is shaky,” and that it was Kennedy “jarring some of it loose.”⁴³³

As the primary campaign trudged along, John Lindsay was back to his pre-March ways, bashing the Johnson Administration for ignoring the commission’s recommendations and continued misguided policy in Vietnam. Lindsay had spoken at several universities, including Vanderbilt and New York University; on March 31, he

⁴²⁹ *Ibid.*

⁴³⁰ *Ibid.* Along the same lines, Carl Rowan of the Washington Star wondered in a March 29 column why “Kennedy seems to curry more favor with the masses than LBJ when RFK has done almost nothing comparatively on social justice.” Carl Rowan, “Gratuitous Attack on Riot Report,” *The Washington Star*, Mar. 29, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁴³¹ Broder, “RFK to Run in In.; Clark’s Talk Hissed,” *The Washington Post*, Mar. 28, 1968, A7.

⁴³² *Ibid.*

⁴³³ “Washington Wire: A Special Weekly Report From The WSJ’S Capital Bureau,” *The Wall Street Journal*, Mar. 29, 1968, 1.

spoke in Denver. “I think it’s wrong to send more American men to fight and perhaps to die in an unwarranted war,” he said, because it created the “diversion of vast national resources to the armaments of warfare...those resources are essential to the cause of peace in our troubled cities.”⁴³⁴ The present strategy portended “more bloodshed, more inhumanity,” he said; “I think we need a fresh beginning at the highest levels of our government, and I think the time for that beginning is now.”⁴³⁵ Lindsay did not expect that Washington would “move either as fast or as far as the commission advised” on matters of housing, employment, and education, and said he “based that pessimism largely on precedent.”⁴³⁶ America could not count on the executive or the legislative branch to rally support for “pioneering empty financed programs to help the cities...given the present mood in Washington, it is probably unrealistic to expect substantial progress before the coming summer.”⁴³⁷ The Johnson Administration deserved credit for supporting new housing legislation, he said, before he scolded Congress for slashing funding for Johnson’s Model Cities program, Medicaid, the rent-supplement program, and what amounted to “dismantling the Office of Economic Opportunity.”⁴³⁸

Later that evening, President Johnson gave a bombshell television address to the nation. Solemn, nattily attired, and flanked by pale curtains and the flags of the United States and the president at his Oval Office desk, Johnson first briefed the country on the situation in Vietnam. After lamenting the Tet Offensive and the potential to prolong the

⁴³⁴ Richard Reeves, “Mayor, in Denver, Warns of Rioting,” *The New York Times*, Mar. 31, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁴³⁵ *Ibid.*

⁴³⁶ Reeves, “Mayor Warns of Rioting,” *The New York Times*, Mar. 31, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

⁴³⁷ *Ibid.* In what would become an eerie reference, Lindsay said he hoped that a teenager killed in recent Memphis protests of sanitation workers, did not signal “an early confirmation” of forthcoming summer riots.

⁴³⁸ *Ibid.*

war in a nation that had now fought for over two decades, Johnson proposed peace talks. “There is no need to delay the talks that could bring an end to this long and bloody war,” he said.⁴³⁹ The United States would largely halt bombing in North Vietnam and was “prepared to move immediately toward peace through negotiations,” he said, hoping that “our restraint is matched by restraint in [North Vietnamese capital] Hanoi.”⁴⁴⁰ In deescalating, Johnson said the nation wanted “to bring this ugly war to an end” provided that Ho Chi Minh respond “positively and favorably”; if not, the U.S. would continue to defend South Vietnam.⁴⁴¹ Johnson praised the South Vietnamese for their resolve and willingness to take on more of the “main burden of preserving their freedom”; in the mean time, however, America would commit 13,500 more troops and take on an even greater financial cost.⁴⁴² Without raising taxes or cutting spending, Johnson said, a \$20 billion deficit would remain. He did not mention the Kerner Commission by name, but stated that the tax bill and “expenditure control” were “absolutely necessary to protect this nation’s security, to continue our prosperity, and to meet the needs of our people.”⁴⁴³ It was up to Congress, he said, to spearhead “appropriate reductions” in the president’s January budget, which he would then approve.⁴⁴⁴ Johnson hoped for peace, but he could not guarantee it; he repeated a previous offer to “withdraw our forces from South Vietnam as the other side withdraws its forces to the north, stops the infiltration, and the level of violence thus subsides,” but that depended on the other side agreeing to such terms.⁴⁴⁵ Peace would come, he said, because the “people of Southeast Asia want it,” and

⁴³⁹ Lyndon B. Johnson, Television Address to Nation, Mar. 31, 1968.

⁴⁴⁰ *Ibid.*

⁴⁴¹ Johnson, Address to Nation, Mar. 31, 1968.

⁴⁴² *Ibid.*

⁴⁴³ *Ibid.*

⁴⁴⁴ *Ibid.*

⁴⁴⁵ *Ibid.*

because “America sent her sons to help secure it.”⁴⁴⁶ Johnson said he would pray for the North Vietnamese leaders to cooperate.

But then the president changed the subject abruptly, some thirty-three minutes into his address. He quoted John F. Kennedy in complimenting a generation of Americans willing to “pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty.”⁴⁴⁷ The nation’s strength would lie with the “unity of our people,” he said, just it always had.⁴⁴⁸ Johnson had tried to abide by this mantra throughout his political career, even amid partisan bickering and trying times. “There is division in the American house now. There is divisiveness among us all tonight,” he said.⁴⁴⁹ Johnson continued, with a somber tone and a slight tilt of his head:

Fifty-two months and 10 days ago, in a moment of tragedy and trauma, the duties of this office fell upon me. I asked then for your help and God's, that we might continue America on its course, binding up our wounds, healing our history, moving forward in new unity, to clear the American agenda and to keep the American commitment for all of our people. United we have kept that commitment. United we have enlarged that commitment... What we won when all of our people united just must not now be lost in suspicion, distrust, selfishness, and politics among any of our people. Believing this as I do, I have concluded that I should not permit the Presidency to become involved in the partisan divisions that are developing in this political year. With America's sons in the fields far away, with America's future under challenge right here at home, with our hopes and the world's hopes for peace in the balance every day, I do not believe that I should devote an hour or a day of my time to any personal partisan causes or to any duties other than the awesome duties of this office--the Presidency of your country. Accordingly, I shall not seek, and I will not accept, the nomination of my party for another term as your President.⁴⁵⁰

Even in a decade accustomed to tumult, Johnson’s revelation that he would not seek reelection was a stunning moment in American politics. Mired in an unpopular war

⁴⁴⁶ *Ibid.*

⁴⁴⁷ *Ibid.*

⁴⁴⁸ Johnson, Address to Nation, Mar. 31, 1968.

⁴⁴⁹ *Ibid.*

⁴⁵⁰ *Ibid.*

and facing sagging approval ratings and a presidential primary campaign in a divided party, the sitting president announced to the country that his political life now had an expiration date. It was a staggering announcement by many measures, not the least of which for what it meant for the Kerner Commission. The man whose executive order had signed the commission into existence, whose Rose Garden rhetoric had given those he appointed a sense of honor, duty, and genuine optimism that the task would not be in vain, had quit, eulogizing his remarkable political ascent in just under seven minutes before the nation. Suddenly, the presidential election became even more significant; perhaps anti-war candidate Eugene McCarthy or commission supporter Robert Kennedy could carry the Democratic mantle, but there were no guarantees. Perhaps Richard Nixon, the leading Republican candidate who had already voiced his disapproval over much of the report's approach, would win office and abandon the report entirely. There were additional questions looming as well. How could President Johnson, even if he decided to suddenly support many of the commission's recommendations, convince Congress to increase spending when he was on his way out? What would happen to the tangible recommendations in housing, in employment, in education, in welfare that seemed feasible, or the ones that seemed far-fetched? What would become of the conclusions and recommendations that came at no cost? Who would emerge as the mouthpiece for liberals, and would he or she rescue the Kerner Commission's report from twisting in the wind? Would anyone carry on the dialogue sought by the commission addressing the maladies of America's ugly racial history? Was the report consigned to its fate—just another commission product destined to stay unread on a shelf?

By formally announcing he was in the twilight of his presidency, Johnson sparked all of these questions while also ensuring that the spotlight was no longer on the National Advisory Commission on Civil Disorders or its enterprising report. The focus would shift to the political horse race, to how Johnson would handle Vietnam in his final ten months; any momentum that commission recommendations had—though such momentum was admittedly scant—was now halted. The commission still had a few studies to complete, but it was, on the whole, now on standby. No one could have known what the first week of April 1968 would bring. If the commissioners, staffers, and supporters of the Kerner report thought their all-consuming exercise was merely on hold for the time being, a tragic reset awaited them.

April 1968 and Beyond

On March 31, 1968, an overflow audience of more than four thousand people packed the National Cathedral in Washington, DC, to hear Martin Luther King Jr. speak on behalf of the upcoming Poor People's Campaign. King's usual magnetism was on full display, with "slow, deliberate, and restrained" speech and a sermon peppered with Biblical and literary references.¹ The Poor People's Campaign had a march planned in three weeks, and King wanted to make its intentions clear. "We are not coming to Washington to engage in any histrionic action, nor are we coming to tear up Washington," he told worshippers; "I don't like to predict violence, but if nothing is done between now and June to raise ghetto hope, I feel this summer will not only be as bad, but worse than last year."² King admitted that recent demonstrations for a sanitation workers' strike in Memphis devolving into violence had convinced him to change course for his Washington campaign, though he would not cancel it "unless the President and Congress took some concrete action."³ Rather than bring thousands of demonstrators to Washington later in the month, a large demonstration was now postponed to June; the violence also persuaded King to cancel a planned trip to Nigeria that would have put him abroad during the first demonstration.

In his sermon, King lashed out at a Congress "dominated by rural Southern conservatives and reactionaries who are unconcerned about the plight of the poor" and a president who approved of spending \$50,000 to "deal death to a Vietcong soldier in Vietnam while spending \$53 for every poor person in this country."⁴ King had not

¹ Bernadette Carey, "4000 Hear Dr. King at Cathedral," *The Washington Post*, April 1, 1968, A1.

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.*

decided on which candidate to support in the Democratic primaries, but he assured his audience it would not be Lyndon Johnson. King also made it clear that “the only action that would lead to calling off the demonstration” would be “Congressional implementation of the recommendations of the Kerner Commission Report and those that came out of last year’s White House Conference on Civil Rights.”⁵ America had grown weary of slow replies and “vague promises,” he said.⁶ “The Kerner Commission came out with its report just a few days ago and then made specific recommendations,” King told his supporters, but “nothing has been done.”⁷ If Congress and the White House did not show deeper concern for the plight of the poor, King predicted a “real awakening in Chicago,” in reference to the site of the summer’s upcoming Democratic National Convention.⁸

Later that evening, President Johnson would announce to the nation that he would not seek reelection in the fall. Four days later, King was murdered while standing on the balcony of his hotel room in Memphis. His death triggered a wave of riots and unrest across America and erased the Kerner Commission’s report from the national conversation almost entirely. Just as America had begun to process the fallout from Johnson’s bombshell announcement, the towering figure of the American civil rights movement was gone at age thirty-nine. Violent riots erupted and many Americans, particularly black Americans, asked the question: if a man who had built his legacy and entire platform on peaceful resistance could be murdered in cold blood, then who, exactly, would white America accept as the voice of the disenfranchised? Suddenly, few

⁵ Carey, “4000 Hear Dr. King at Cathedral,” *The Washington Post*, Apr. 1, 1968, A1

⁶ *Ibid.*

⁷ Martin Luther King Jr., “Remaining Awake Through a Great Revolution,” Delivered at the National Cathedral, Washington, D.C., March 31, 1968.

⁸ Carey, “4000 Hear Dr. King at Cathedral,” *The Washington Post*, Apr. 1, 1968, A4.

Americans cared about the Kerner Commission's four-prong plan of action, or message to white America to empathize with the black experience. Rioting in numerous cities continued for over a week; thousands were arrested or injured, and scores were killed. In response, Congress passed the Civil Rights Act of 1968, which President Johnson signed into law exactly one week after King's assassination. The centerpiece of the legislation was open housing—the act outlawed discrimination based on race, religion, or national origin, in the sale, rental, or financing of a house. With riots unfolding only miles from the U.S. capitol, Johnson urged that the House of Representatives pass what became known informally as the Fair Housing Act. While it was a long-awaited goal accomplished, it required King's murder for the House to take action and put legislation on Johnson's desk.

In passing the Fair Housing Act, Congress and President Johnson had fulfilled a key recommendation from the Kerner Commission's report. Unfortunately for commissioners and staff, that is where momentum seemed to stop. "Only a month from its issuance, the strident urgency of the Kerner Commission report on urban rioting has been muffled by the manifold political pressures of an election year," the *Baltimore Sun* noted on April 1, adding that "commission members, all of whom remain convinced that the alarm sounded in their report was necessary, seem resigned to this fact."⁹ Only Edward Brooke had criticized Johnson publicly for failing to support the Kerner report more forcefully. "I wouldn't want to charge that he is playing politics, but he is being cautious about a subject that demands him to speak out," Senator Brooke said, declaring

⁹ Oswald Johnston, "Riot Report Call Dulled," *The Baltimore Sun*, Apr. 1, 1968, "Reaction: Post-Report," Box 4, Series 39, Records of the National Advisory Commission on Civil Disorders, Record Group 282, Lyndon B. Johnson Presidential Library, Austin, Texas.

that other commissioners were also “disappointed” despite their silence.¹⁰ Otto Kerner himself, who had fended off attacks from Strom Thurmond on the report during Kerner’s own confirmation hearing for a federal judgeship, described Johnson’s approach as “judicious,” while Fred Harris was “very pleased with the response the report has been getting.”¹¹ Harris pointed to Vice President Hubert Humphrey’s letter that commended the commission’s “eloquence and honesty,” as did William McCulloch, who said, “judging from the letter I got [from Humphrey], the story of his opinion is not quite accurate.”¹² Speaking before the National Press Club, Roy Wilkins called for the “implementation of the recommendations of the Commission on Civil Disorders” but also praised President Johnson for his accomplishments.¹³ Johnson, he said, had “pointed the way for the nation to proceed out of the thicket of racial injustice,” contrary to what his Texas accent would seem to indicate.¹⁴ “This man has been better in pronouncement and in performance on America’s old and emotional problem of race than any other President in our history,” Wilkins said to applause.¹⁵ One month on, the article indicated that commissioners agreed that “the report was in any case addressed as much to the American people as it was to the President or a balky Congress,” and that “the best hope for action lay with the wide readership the paperback publication of the report appears to

¹⁰ Johnston, “Riot Report Call Dulled,” *The Baltimore Sun*, Apr. 1, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹¹ *Ibid.*

¹² McCulloch also that he was “aware of the tremendous fiscal pressures on the nation, at home and abroad,” and that he had recently issued statements “stressing that not all of the report’s recommendations are expensive” and that “many things can be done without spending a great deal of money.” *Ibid.*

¹³ Roy Wilkins, Remarks to National Press Club, Apr. 2, 1968, “Roy Wilkins,” Box 1, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁴ *Ibid.*

¹⁵ *Ibid.*

have won.”¹⁶ Harris asserted: “It’s a runaway best seller. Nearly a million copies were sold in the first ten days. The report is not going to die.”¹⁷

As in so many other instances in the life of the Kerner Commission, however, public statements did not match private concerns. Harris sent a telegram to Kerner in Springfield, Illinois, on April 2 proposing that the commissioners reconvene. “I believe it would be helpful if the commission, whose existence as you know extends until July, were to be called together again soon, and I propose such a meeting,” Harris wrote to the governor.¹⁸ In the meeting, the commission “could assess and discuss reaction to the report and respond to some of the mistaken criticism of it. I have in mind, for example, the charge made by some who had obviously not read the report that we condoned violence, when in fact, the opposite is quietly clearly the case,” he said.¹⁹ Harris also wanted the meeting to discuss “means of aiding the more rapid implementation of the report.”²⁰ The commission needed to measure its effect thus far and note the organizations and agencies that had heeded the recommendations; it also needed to discuss how to cast a wider net so that the report and its impact did not fade. Harris asked Kerner to respond when he had time to mull over the suggestion.

But Kerner, who vacationed in Miami before cutting his trip short to return home on the heels of post-King assassination riots in Chicago, had no such plans to reconvene his commission. He told United Press International that commissioners would not meet

¹⁶ Johnston, “Riot Report Call Dulled,” *The Baltimore Sun*, Apr. 1, 1968, “Reaction: Post-Report,” Box 4, Series 39, NACCD, RG 282, LBJ Library, Austin, TX.

¹⁷ *Ibid.*

¹⁸ Telegram, Fred Harris to Otto Kerner, Apr. 2, 1968, “Otto Kerner: Official Correspondence,” Box 1392, Series I, Otto Kerner Papers, 1947-1968, Abraham Lincoln Presidential Library, Springfield, Illinois.

¹⁹ *Ibid.*

²⁰ *Ibid.*

anytime soon; “it could be June,” he said.²¹ While in Miami, he branded critics of the commission report “people who don’t want to do anything about [urban issues] and won’t take the first step” to try and understand.²² He also asserted that “some of the trouble could have been averted if more people had acted on the commission’s report.”²³ At a press conference in New York in April 10, John Lindsay stated the Kerner Commission would meet to “push its recommendations to help racial violence in the nation’s cities,” and that Kerner himself agreed to meet “in the next several days.”²⁴ The New York City mayor also “charged Congress hasn’t acted because its members have failed to get the ‘message’ sent by ghetto rioters” and cited a “lack of leadership” from the White House.²⁵ He followed with a blistering 2000-word statement on the torpor of Congress and the president with a promise to embark on a speaking tour promoting commission recommendations. “This has nothing to do with politics,” Lindsay said; “I’m doing this because I’m the chief executive of the largest city in the country and I’m a very worried man.”²⁶ Commissioners would meet with the president, he said, “if he will see us.”²⁷ After reading the statement Dr. King had sent in response to the Kerner Commission’s report a month earlier, Lindsay said that while it was “too late to answer the martyred Dr. King,” it was “not too late...for the nation to move against this crisis with the urgency and enterprise that the commission sought to generate.”²⁸

²¹ Richard Reeves, “Lindsay Asks Riot Panel Action,” *The New York Times*, Apr. 11, 1968, 1.

²² “Kerner Says he Fears for Nation’s Stability,” *The New York Times*, Apr. 8, 1968, 31.

²³ *Ibid.*

²⁴ “Riot Panel Meeting Planned,” *The Washington Post*, Apr. 11, 1968, A8; Reeves, “Lindsay Asks Riot Panel Action,” *The New York Times*, Apr. 11, 1968, 1.

²⁵ “Riot Panel,” *The Washington Post*, Apr. 11, 1968, A8; Reeves, “Lindsay Asks Riot Panel Action,” *The New York Times*, Apr. 11, 1968, 1.

²⁶ Reeves, “Lindsay Asks Riot Panel Action,” *The New York Times*, Apr. 11, 1968, 1.

²⁷ *Ibid.*, 32.

²⁸ *Ibid.*

Lindsay's rhetoric prompted a message from Joseph Califano to President Johnson. "Dave Ginsburg has seen the Lindsay ticker on the Riot Commission. He has already spoken with Otto and told him to cool it off," Califano said.²⁹ There was "no meeting set" for the commissioners, and "none will be set for the time being—and certainly no 'emergency meeting' or any meeting designed to 'carry out' the report."³⁰ There is no record of Johnson's reply, but Califano followed up the next afternoon, telling the president that he had "called Governor Kerner and delivered your message."³¹ He wrote that he had also told Kerner that "the commission was terminated when it submitted its final report on March 1; Kerner asked what he could do, I said the most effective thing he could do was get a public statement on the record that the commission's life was terminated when it submitted its final report. He said he would do this."³² If the White House had been falsely accused of meddling in the commission's affairs throughout its research phase, those claims now had veracity. It had no interest in any additional Kerner Commission meetings and, against the wishes of men like Lindsay and Harris, Gov. Kerner seemed willing to oblige. "It's just a matter of tying up loose ends and closing our books. I don't know at this point if we will have another meeting," Kerner told *The New York Times*.³³ A spokesman for the governor noted that the president had only instructed the commission to "look into the riots of 1967 and not any other disturbances" and said the governor would "likely wait for reports by the commission staff as addenda to the commission report and for Mr. Johnson to give an

²⁹ Joseph Califano to Lyndon B. Johnson, Apr. 10, 1968, "3/14/68-6/15/68," Box 387, FG 690, National Advisory Commission on Civil Disorders, White House Central Files, LBJ Library, Austin, TX.

³⁰ *Ibid.*

³¹ Joseph Califano to Lyndon B. Johnson, Apr. 11, 1968, "4/12/68-7/31/68," Box 389, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

³² *Ibid.*

³³ "Kerner is Unsure on Riots Meeting," *The New York Times*, Apr. 12, 1968, 19.

address to Congress on civil rights.”³⁴ When informed that the chairman did not plan to call an emergency meeting of the Kerner Commission amid rioting nationwide, Lindsay said: “I am disappointed. It could have had a salutary effect in the ghettos if the people felt the commission was willing to stand up and fight for its recommendations.”³⁵ Lindsay hoped that Kerner would reconsider.

While a weekly report from *The Wall Street Journal*’s capital bureau claimed the Kerner Commission had “gained more respect now,” with “some lawmakers credit[ing] the panel for turning them in favor of open housing,” Johnson remained firm in his assessment of the report and additional spending.³⁶ The same bureau report said the president was “coming down hard on the side of law and order” following the King assassination riots, and that “aides feel a get-tough-with-rioters line is popular, with many Negroes as well as whites.”³⁷ The White House Cabinet meeting a day prior to King’s death showed furthermore that Johnson’s defensiveness over his domestic contributions had not subsided following his announcement that he would not seek reelection. At the conclusion of the April 3 meeting, after he had thanked many of his loyal public servants for their contributions, Johnson said:

I hope you all know the figures on what has been done for the poor and the young people of this country. I had [political reporter] Theodore White in for a visit recently and I went over these figures with him. I showed him what had been done in the Eisenhower, Kennedy, and Johnson Administrations—how the spending compared in such categories as health, education and poverty. He was shocked and couldn’t believe the figures. He asked why we didn’t tell that story. I told him what you have heard me say many times, and I told the story myself a hundred times but no one seems to be listening. We’ve been terribly neglectful in telling our story....I don’t want any of you to bring me any more

³⁴ “Kerner is Unsure on Riots Meeting,” *The New York Times*, Apr. 12, 1968, 19.

³⁵ *Ibid.*

³⁶ “Washington Wire: A Special Weekly Report From The WSJ’S Capital Bureau,” *The Wall Street Journal*, Apr. 12, 1968, 1.

³⁷ *Ibid.*

grandiose plans without bringing me another plan at the same time showing how you are going to tell the story in the press. Bring me both plans together or don't bring any.³⁸

In his fledgling days as a lame duck, the president had not softened; if anything, he seemed perhaps now even more determined to defend his contributions and preserve his legacy than ever. There would be neither dramatic shifts in policy nor a move off his fundamental beliefs on the Kerner report—that it shortchanged the Administration's own contributions to American cities and that the nation could not afford it. Perhaps nothing—not King's death, not a week of rioting thereafter—would deter the president from this stance. After avoiding King's funeral in Atlanta as a safety precaution, Johnson had signed the Fair Housing Act; now, he wanted the Kerner Commission and some of its more overzealous members to go away, and he was willing to deploy his staffers to deliver this message.

If the White House had no interest in following up on Kerner Commission claims, neither did much of white America, according to a Harris survey released in mid-April in *The Washington Post*. The survey found that at the time of King's assassination, black and white Americans were “sharply divided in their views” over the Kerner Commission's “central finding” that “the 1967 riots were brought on by white racism.”³⁹ Whites disagreed with the assertion by a count of 53 to 35 percent, whereas 58 percent of African Americans agreed and only 17 percent disagreed. The survey also found that while white Americans “approved, by a narrow margin of 45 to 43 percent, the principle of giving cities enough money to rehabilitate their slums,” the same group of whites polled “also rejected, by 63 to 23 percent, the suggestion that they pay higher taxes to

³⁸ Minutes of White House Cabinet Meeting, Apr. 3, 1968, “Cabinet Meeting, 4/3/68,” Box 13, Office Files of Joseph A. Califano Jr., LBJ Library, Austin, TX.

³⁹ Louis Harris, “Whites and Negroes Split on Riot Report,” *The Washington Post*, Apr. 16, 1968, A5.

accomplish the task.”⁴⁰ Ninety-one percent of African Americans, on the other hand, wanted open housing, and 66 percent said they would pay higher taxes to rehabilitate slums. There was general agreement that a “lack of progress in giving Negroes equality in education, jobs and housing have been major contributory elements in provoking the riots,” but whites, the survey said, “had not yet come to the point of accepting sacrifices to alleviate the plight of Negroes.”⁴¹ Accordingly, there were “clear and ominous signs that Negro patience with white unwillingness to take drastic action was running out.”⁴² There were plenty of points of agreement—“81 percent of whites and 84 percent of Negroes agree that there should be more Negro police officers in Negro ghetto areas...68 percent of whites and 88 percent of Negroes agree that Negroes should have a greater voice in programs affecting them...70 percent of whites and 86 percent of Negroes agree that most white people don’t know what the misery and poverty is like in Negro ghettos”—but on the more specific questions, there remained telling disparities as well.⁴³ Among these: that 51 percent of African Americans believed that “brutality was a major cause of last year’s riots,” while only 10 percent of whites polled felt similarly.⁴⁴ Whites also disagreed—by a margin of 2 to 1—that riots were not organized, whereas African Americans agreed with the commission’s assessment on the matter.⁴⁵ The ratio of whites who believed the federal government should shoulder a greater burden of welfare costs to those who disagreed was 2 to 1, whereas African Americans believed the opposite at a ratio of 4 to 1.⁴⁶

⁴⁰ Harris, “Whites and Negroes Split,” *The Washington Post*, Apr. 16, 1968, A5.

⁴¹ *Ibid.*

⁴² *Ibid.*

⁴³ *Ibid.*

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

On the whole, the survey signaled some alarming trends with regard to the Kerner Commission's impact: white Americans seemed to concede that they did not understand the black experience and wanted action taken, but they had little interest in playing a central role in such action. They did not agree—as black America did—that their own racial attitudes were to blame, nor did they support paying for such problems. This data presented an obvious question: how could white America claim to sympathize and want to address conditions that bred riots, yet also oppose the underpinnings of the report in terms of increased spending and improving attitudes? It was just one survey, of course, but it did not bode well for how white America might reckon with its own racial attitudes, assuming the Johnson Administration would not follow most of the program recommendations put forth.

What many Americans wanted, in fact, was an evaluation of the riots more along the lines of John McClellan's Senate Permanent Investigation Subcommittee. McClellan and his team had yet to complete their hearings by April 1968, but the tone of the investigation was established. As the Kerner Commission stressed environmental factors, improving racial attitudes, and increasing spending on inner-city programs, the right-leaning McClellan investigation emphasized law and order, the question of whether outsiders had orchestrated instances of chaos, and on how those responsible were violent criminals linked to the more extreme tenets of liberalism. "The blunt truth is that the divide between the white and the black societies is as wide as ever," columnist Marquis Childs wrote in the *Washington Post*.⁴⁷ The riots were predictable, he said, "to anyone who took seriously the report of the President's Commission on Civil Disorders," yet "few, and this goes for many in the top level of government, heeded the warning that any

⁴⁷ Marquis Childs, "A Divided Society More Divided Now," *The Washington Post*, Apr. 22, 1968, A18.

spark could touch off an explosion.”⁴⁸ Johnson had the chance to “let it be known [he] would go to Congress” after the King assassination and “call for a greatly expanded program for ghettos.”⁴⁹ He “abandoned the idea...in the face of opposition from Capitol Hill,” a decision that had “not escaped the notice of the black minority...even failure to get what he asked for would have been taken as evidence he had done his best in the face of implacable resistance.”⁵⁰ Instead, Childs wrote, Johnson had not even tried. Speculation on the outcome was “as idle as speculation over the reaction to the King assassination if it had not been followed by riots...attitudes have hardened and it is difficult to see what can prevent further violence and bloodshed.”⁵¹ For Childs and many others, the window of opportunity to act on the Kerner Commission and in the wake of King’s murder had tragically passed.

As the end of April drew near, Califano remained concerned about the “obvious effort to use the commission for political purposes.”⁵² In addition to the civic and religious groups who had spoken out in support of the report in April—American Catholic bishops had released a seven-page statement that “endorsed the judgment of the Kerner Commission on the causes of social unrest,” for example—a New York Congressional delegation had vowed to “unite to promote federal legislation implementing the recommendations of the National Advisory Commission on Civil Disorders.”⁵³ A bipartisan group informed Lindsay of this plan at a private breakfast in

⁴⁸ Childs, “A Divided Society,” *The Washington Post*, Apr. 22, 1968, A18.

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

⁵² Joseph Califano to Otto Kerner, Apr. 25, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁵³ Earlier in the month, officials from the National Conference on Catholic Bishops joined with officials from the National Council of Churches, the Synagogue Council of America, and the Greek Orthodox Archdiocese of North and South America for a “plea for enactment of legislation in the fields of housing,

New York after the mayor had “made the argument...to introduce legislation based on commission recommendations for massive national housing, education, and employment programs.”⁵⁴ Lindsay also told the delegation that the commission needed to meet again to “focus national attention on ignored recommendations.”⁵⁵ To those who commended the White House for its efforts and claimed there was plenty of overlap between its current agenda and commission recommendations, Lindsay compared his own task force’s work “with Washington action in this way”:

In general the Administration requests funds for 100,000 new jobs this year compared with 550,000 proposed by the commission, 300,000 housing units this year compared to the 600,000 recommended by the commission, none of the basic requirements of our welfare system recommended by the commission and limited funding of existing elementary and secondary education programs, compared to the substantially increased authorization suggested by the commission.⁵⁶

Califano, exasperated at the effort to keep the commission in the news, told Kerner he had “tried, and I think successfully, to prevent the commission from being used for any political purposes during its hearings, and the report itself.”⁵⁷ Further meetings, he told the governor, would “detract from the report,” and the commission would only meet “based upon the President’s judgment of whether the Commission should investigate further into any of the more recent disorders.”⁵⁸ Kerner agreed and issued what he hoped would be a final statement on the status of the commission. “I reiterate that the commission has fulfilled its mission as outlined by the President, and no further

welfare, and other areas” emphasized in the Kerner Commission report. Edward B. Fiske, “U.S. Catholic Bishops Endorse Riot Report,” *The New York Times*, Apr. 24, 1968, 30; Richard Reeves, “State Congressmen Back Mayor’s Plea on Disorder,” *The New York Times*, Apr. 25, 1968, 1.

⁵⁴ Reeves, “State Congressmen Back Mayor’s Plea,” *The New York Times*, Apr. 25, 1968, 1.

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*, 32.

⁵⁷ Califano to Kerner, Apr. 25, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁵⁸ *Ibid.*

meetings are contemplated by the chairman,” he said in the statement.⁵⁹ The Kerner Commission did not “expect that all of our proposals would be immediately adopted,” he said, but believed “that the federal government would begin to move in the direction we mapped...however, the recent economies effected by Congress and the Administration move in the opposite direction.”⁶⁰ Kerner proclaimed the report to be an “exhaustive and comprehensive document...submitted to the President with our views and findings concerning those three questions about the summer of 1967,” and with no additional change, he could “see no further work for this particular commission.”⁶¹ With pressure from the White House, Kerner had officially dismissed the notion that the commission would meet again given the new wave of riots. While there is no record about his personal feelings on the matter, his nomination to the federal judiciary likely made him hesitant to upset the Johnson Administration and ensured that no formal gatherings, to the dismay of Lindsay and Harris, would happen.

Kerner nixing a commission reunion did not deter Harris from persisting, however. Speaking before social workers at an “Urban Crisis” workshop in late April, Harris emphasized that civil rights needed to be “much more than the right to eat at a lunch counter or use a particular restroom, because the struggle’s focus has moved to the deeper social ills.”⁶² New civil rights would focus on employment, education, and health care, he said. Harris also refuted the charge that the commission’s recommendations had been unrealistic. “We decided we would tell it like it is,” he said, and stressed that its job was not simply to “express just as much of the truth as the House Appropriations

⁵⁹ Reeves, “State Congressmen Back Mayor’s Plea,” *The New York Times*, Apr. 25, 1968, 1.

⁶⁰ *Ibid.*

⁶¹ Califano to Kerner, Apr. 25, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁶² “Riot Panelist Broadens Rights Goals, *The Washington Post*, Apr. 27, 1968, A13.

Committee would approve.”⁶³ With rumors of a possible march that would request “action on the Commission’s recommendations” and “passage of a guaranteed annual income,” Harris pled for activists to heed the call to assist the poor.⁶⁴

By May 7, when David Ginsburg had tendered his resignation as the Kerner Commission’s executive director, all that remained were two supplemental studies sponsored by the Ford Foundation and a third study examining police records of over 30,000 people arrested during riots.⁶⁵ “All should be completed by July,” Ginsburg told the president, and the only other order of business was to “complete the orderly transfer to Archives of the records of the Commission.”⁶⁶ The first two studies—“Racial Attitudes in 15 American Cities” and “Between White and Black: The Faces of American Institutions in the Ghetto”—were authored by members of the Kerner Commission staff but not endorsed by the commissioners themselves.⁶⁷ The third study, called “Who Riots?” was conducted at Columbia University. Ginsburg told Johnson that he sympathized with his predicament; “I have understood the anguish you must have suffered during these past months and have shared it,” he wrote.⁶⁸ In a separate note, Ginsburg told Johnson he was “deeply grateful” for the “opportunity you gave me to work with the Commission.”⁶⁹ His final line was forlorn: “I would have given a great deal to be able to hand you a report which would have brought you joy and

⁶³ “Riot Panelist Broadens Rights Goals, *The Washington Post*, Apr. 27, 1968, A13.

⁶⁴ *Ibid.*

⁶⁵ David Ginsburg to Lyndon B. Johnson, May 7, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁶⁶ *Ibid.*

⁶⁷ David Ginsburg to Lyndon B. Johnson, July 26, 1968, “6/15/68-7/26/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁶⁸ Ginsburg to Johnson, May 7, 1968, “3/14/68-6/15/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁶⁹ Ginsburg to Johnson, July 26, 1968, “6/15/68-7/26/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

satisfaction.”⁷⁰ With this message, one of the commission’s most tireless workers walked away from a project he so desperately wanted to succeed.

The report’s findings had lost traction altogether as summer approached, but it did not mean they did not surface in the news occasionally. In May, Bayard Rustin testified before a House Labor Subcommittee in support of a proposed \$4 billion federal program to create one million public service jobs for the hard-core unemployed. Rustin told the subcommittee that the reaction to the Kerner Commission’s final report frustrated him. Not only was white America in a “psychological jag” over the indictment of white racism, Rustin said; the focus on such attitudes had “diverted efforts to attack the real heart of the nation’s problems—the racist-tainted institutions that keep Negroes in inequality.”⁷¹ The commission report did not “deal with ‘individual whites as being racists,’” he said; if that were the case, “the only answer is to put 180 million white Americans on the couch with psychiatrists and perhaps in ten years the nation might find what problem it faces.”⁷² Individual racism detracted from institutional racism, he told the subcommittee. Only when America confronted its racist institutions could it hope to alter attitudes. This sentiment prompted Rustin to back the Guaranteed Employment Act, proposed legislation with the backing of 80 congressmen but not the Johnson Administration. It was the kind of “first bit of legislation,” he said, that could have “a visible effect on the lives of people in the ghetto...something dramatic to restore their hope that their lives can improve.”⁷³ Rustin also had harsh words for Congress, which he

⁷⁰ Ginsburg to Johnson, July 26, 1968, “6/15/68-7/26/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁷¹ Jean M. White, “Whites on Psychological Jag—Rustin,” *The Washington Post*, May 9, 1968, E20.

⁷² *Ibid.*

⁷³ *Ibid.*

said was “not only inept but intensely crippled in its social insight.”⁷⁴ Responsibility for forthcoming riots lay in part, he said, with obstinate lawmakers, not civil rights leaders and police. “The responsibility for disorder is on the Hill, not in the ghetto,” he testified.⁷⁵ Until Congress ceased its “perverse genius” for “passing bills it feels will keep law and order instead of getting at the injustice that makes disorder inevitable,” Rustin said, the institutionalized maladies described in the Kerner Commission report would persist.⁷⁶

In the aftermath of the Kerner Commission’s report and the tepid response it received from the White House, four thousand academic and professional psychologists signed a statement in June supporting the report’s findings. The organization, known as Psychologists for Social Involvement, sent separate statements to both President Johnson and the American Psychological Association. “As psychologists we strongly agree with the conclusions of the National Advisory Commission on Civil Disorders and are dismayed that the report has had so little impact in Washington,” the organization wrote to Johnson.⁷⁷ In its statement to the APA, the psychologists endorsed the findings that “the recent disorders result largely from conditions of discrimination, poverty, and unemployment; which have their roots in racial prejudice...As citizens we strongly urge that direct action be taken to combat these unjust conditions.”⁷⁸ Of the professionals who signed the statement, over a third wished the organization had written an even stronger statement on behalf of implementing commission proposals. Many of the undersigned

⁷⁴ Jean M. White, “Whites on Psychological Jag—Rustin,” *The Washington Post*, May 9, 1968, E20.

⁷⁵ *Ibid.*

⁷⁶ *Ibid.*

⁷⁷ Psychologists for Social Involvement to Lyndon B. Johnson, June 25, 1968, “6/15/68-7/26/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁷⁸ Psychologists for Social Involvement to American Psychological Association, June 24, 1968, “6/15/68-7/26/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

mentioned “specific community efforts in which they are engaged and programs they are attempting to implement,” but they agreed that the “major responsibility” for coordinating such efforts in employment, education, housing, and other fields lay with the “legislative and executive branches of government.”⁷⁹ In the statement to Johnson, the psychologists said they endorsed “the psychological validity and soundness of the major conclusions of the Kerner Report” and were “dismayed at the lack of support or even recognition that the report has received at the highest levels of government.”⁸⁰ Even in June, weeks after Robert Kennedy’s assassination, months after Johnson had announced he would not seek reelection, and long after the commission’s report had faded from headlines, the psychologists made their message to the president clear: “The importance of your leadership in this regard cannot be overstated.”⁸¹

Johnson remained uninterested in pushing the final report, but in July, Ginsburg forwarded commissioners information on someone who believed there was “no more important text in American schools” than what the Kerner Commission had produced.⁸² Connecticut high school teacher Franklin Gross wanted to use the document in classrooms, believing it “may help students find a way to do something constructive about the problems they have uncovered.”⁸³ In an article in *Scholastic Teacher* from

⁷⁹ PSI to APA, June 24, 1968, “6/15/68-7/26/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁸⁰ PSI to Johnson, June 25, 1968, “6/15/68-7/26/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁸¹ *Ibid.*; Not all experts agreed. In June, a *Washington Post* article quoted John Spiegel of the Brandeis University Lemberg Center for the Study of Violence as saying that the Kerner Commission’s accusations of white racism were too vague. Spiegel said the commission’s report was “too accusatory and thus more likely to evoke denial than affirmation.” “Expert Scores Riot Panel on White-Racism Views,” *The Washington Post*, June 25, 1968, A19.

⁸² Franklin Gross, “Bookguide: U.S. Riot Commission Report,” *Scholastic Teacher*, May 9, 1968, 4; forwarded by David Ginsburg to Commissioners, July 9, 1968, “6/15/68-7/26/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁸³ *Ibid.*

May, Gross described scenes and reactions from his students following the King assassination:

As we sat in numbed silence, one of the students said, “Do me one favor. Don’t read the black man any more lectures about nonviolence, I’ve seen what white people really believe about nonviolence.” Then he walked out of the room, and we were agonizingly aware that those who remained were white and that our piece of America, too, had been split wide open.⁸⁴

With these sentiments in mind and the pressing need “to understand the cold realities that produce the pain—the realities of the ghetto,” Gross proposed a book guide aimed at high school students that would focus on the Kerner Commission’s report.⁸⁵ In its full form, Gross said, the report “deals courageously and honestly with the most vital issue America faces today...it is complex, but don’t let its complexity frighten you. It is beautifully organized for systematic study, on many grade levels.”⁸⁶ The book guide could, in theory, help students “learn about the overall problem as it affects the nation” while also “applying these insights to learn what is happening right in your own community.”⁸⁷ Students could “evaluate the national picture” when reading the report and then “apply the same questions to the local community.”⁸⁸ With his call for the book guide “to make a new beginning for relevance in the classroom, responsibility in the nation, and dignity for all our people,” Gross seemed interested in realizing many of the Kerner Commission proposals with regard to evaluating America and having earnest discussions on race relations.⁸⁹ The problem, of course, was that such proposals were few and far between;

⁸⁴ Gross, “Bookguide,” *Scholastic Teacher*, May 9, 1968, 4; forwarded by David Ginsburg to Commissioners, July 9, 1968, “6/15/68-7/26/68,” Box 387, FG 690, NACCD, WHCF, LBJ Library, Austin, TX.

⁸⁵ *Ibid*

⁸⁶ *Ibid.*

⁸⁷ *Ibid.*

⁸⁸ *Ibid.*

⁸⁹ *Ibid.*

for the majority of Americans, the report and its prescriptions had now faded from prominence.

Writing in *The Wall Street Journal*, sociologist Amitai Etzioni attributed the failure of the Kerner Commission report, along with many other task forces before it, to a number of factors. He noted the commission's lack of social scientists, which he compared to "setting up a National Commission to study cancer and then excluding doctors from it."⁹⁰ Etzioni also said that while the commission was given a year to submit its report, moving the date up meant that "its writing staff did not even have a chance to read significant parts of what the farmed-out research was turning up."⁹¹ The rushed effort, he argued, spoke to the tendency of commissions to "treat the politics of the situation rather than the situation" in many instances.⁹² Too often commissions were more interested in consensus-building than determining causes and cures. Etzioni pointed to the European model—where task forces gathered their research in private—as an example of how to avoid the Kerner debacle, where "they recommend spending and programs without explaining how to pay for them."⁹³ Going forward, commissions needed specialists conducting more of the research, high-ranking officials on administrative duties, and politicians as public representatives. More social scientists and fewer lawyers, he argued, would decrease the chances of opposition "by the government agencies that must participate in their implementation," as was the case with Johnson and the Kerner Commission.⁹⁴ Whether or not the commission's makeup and methodology had doomed its report was certainly up for debate—and it had not been a frequent

⁹⁰ Amitai Etzioni, "Why Task Force Studies Go Wrong," *The Wall Street Journal*, July 9, 1968, 18.

⁹¹ *Ibid.*

⁹² *Ibid.*

⁹³ *Ibid.*

⁹⁴ *Ibid.*

criticism to that point. With the commission's work and correspondence finished, there was no official response, though it seems fair to assume they would have disputed Etzioni's contentions that the methods and members involved were the reasons the report had faltered.

On the campaign trail that summer, Democratic candidate Eugene McCarthy lamented the nation's failure to heed the Kerner Commission's warning. "Since then we have talked much and done little...the conditions remain," he said.⁹⁵ A *Washington Post* columnist penned a column with the headline: "Separation of Races is Growing" and noted how even "integration-minded black moderates" had become part of black militancy's "polarizing trend."⁹⁶ It was a famously tumultuous summer bookended by violence; in June, presidential candidate Robert Kennedy was assassinated in a Los Angeles hotel; in late August, chaos at Chicago's Democratic National Convention displayed a white-hot rage that had seemingly worsened in American cities. With a second Kennedy brother deceased and a Vietnam War that had seemingly no end in sight in spite of Johnson's March address, thousands of young, left-leaning activists took to the streets of Chicago during the convention. Clad in riot gear, Chicago police descended on many of the protesters and began beating them; riots unfolded before a national television audience, and many protesters famously chanted, "The whole world is watching!" in their clashes with police. The Democratic Party seemed broken—stunned by Johnson's decision not to seek re-election, even more stunned by Kennedy's assassination during primary season, and now splintered more than at any point in the decade. It was not a party that conveyed stability, and for many critics, the police riots at the Democratic

⁹⁵ "McCarthy: Little Done on Riots," *The Washington Post*, July 28, 1968, A4.

⁹⁶ William Raspberry, "Separation of Races is Growing," *The Washington Post*, July 19, 1968, B1.

convention indicated that liberalism on the national level had run its course. “None of this adds up to the politics of joy, or even the politics of coexistence,” observed one reporter.⁹⁷

By the time the Democrats had tabbed Hubert Humphrey as their nominee in the fall, Nixon had targeted recent liberal administrations as the culprits for the spike in violence and deteriorating conditions in American cities. When Humphrey touted his own administration’s achievements, Nixon sarcastically asked if that pride included the increase in violence and crime. “No mob tried to burn down D.C. while Dwight Eisenhower was in the White House,” he said.⁹⁸ Contrary to what the Kerner Commission claimed, Nixon faulted neither rioters nor white America; he faulted the court system, the Department of Justice, Robert Kennedy, and the Kennedy and Johnson Administration, among others. He was betting that blaming urban violence on liberalism and its luminaries would pay off in the November general election, and he was proven correct, winning the presidency with 301 electoral votes and thirty-two states carried. On the same day, Katherine Graham Peden lost her bid for a seat in the United States Senate. Peden, who “staunchly supported the Commission’s controversial findings,” lost to Marlow Cook, described as an “advocate of law and order.”⁹⁹ She had tried to position herself as a candidate who “stood for social justice through law and order,” but prior to Johnson’s bombshell announcement, she had also been an “all-the-way-with-LBJ Democrat.”¹⁰⁰ Her defeat, much like Nixon’s victory, dealt a resounding blow to the findings in the Kerner Commission report in how it illustrated a broad political shift. The

⁹⁷ Ward Just, “For Many, A Haunted Convention,” *The Washington Post*, August 26, 1968, A8.

⁹⁸ “Who Struck John,” *The Washington Post*, September 29, 1968, B6.

⁹⁹ Paul Valentine, “Nixon Takes Ky., Leads in Okla.,” *The Washington Post*, November 6, 1968, A6.

¹⁰⁰ Elizabeth Shelton, “Senate is Her Goal,” *The Washington Post*, May 30, 1968, E1.

report was hardly the only factor on voters' minds on November 5, 1968, but Republican gains revealed what many Americans felt about urban riots and liberals' ability to reckon with them going forward.

The following February, a task force independent of the Kerner Commission issued a "follow-up assessment of how the nation has responded to the Kerner report."¹⁰¹

The assessment, titled "One Year Later," came through a joint effort of the Urban Coalition and Urban America; Harris and Lindsay were on the review board. A source told a *Washington Post* reporter that the assessment "records both progress and failures but 'can hardly be called encouraging.'"¹⁰² After organizations like the Justice Department, League of Women Voters, and American Jewish Committee had asked for a follow-up report, the Urban Coalition had taken action so that the report would not "be filed and forgotten."¹⁰³ One staffer insisted it was "not so much a memorial to the Kerner Commission as an attempt to keep up the momentum to move on urban problems."¹⁰⁴

Washington Post columnist William Raspberry said the study was "cause for dismay in the fact that we aren't even moving, at least not moving very forcefully," toward the Kerner Commission's recommendations.¹⁰⁵ "The Commission told us that unfulfilled promises were a major cause of urban unrest, and our response has been to make fewer promises," he said, adding that while there had been "government-sponsored job-training programs," such measures were merely "aspirin tablets and the urban disease is too far advanced to respond to aspirin."¹⁰⁶ Raspberry continued:

¹⁰¹ Jean M. White, "Follow-Up Study on Riot Report Due," *The Washington Post*, February 11, 1969, A2.

¹⁰² *Ibid.*

¹⁰³ *Ibid.*

¹⁰⁴ *Ibid.*

¹⁰⁵ William Raspberry, "A Year After Kerner Report Nothing Much Has Been Done," *The Washington Post*, March 7, 1969, A23.

¹⁰⁶ *Ibid.*

More than anything else, the Commission tried to make us see that it would take a massive commitment in employment, in economic development of the black ghettos, in welfare reform, and in some system of income maintenance to steer us out of our headlong plunge toward disaster.

And we haven't seen that at all. Or at any rate, we haven't acted on it. President Johnson never felt that he could endorse the Kerner report. President Nixon, in his reliance on private business to do much of the battle against poverty, seems to be suggesting a lessening of the nation's official commitment.¹⁰⁷

He continued that while getting "black and white people talking to each other again" was an encouraging sign, it had its limitations until there were tangible programs aimed at racial discrepancies.¹⁰⁸ "Even the most earnest dialogue cannot improve a ghetto resident's credit rating or get rid of the vermin in his overpriced tenement or find him a meaningful job or educate his ignorant children," Raspberry said.¹⁰⁹ Unless the "national government is willing to lead," the willingness of so many Americans to listen and "search for ways to do what they can" was "meaningless."¹¹⁰ David Broder, another *Washington Post* columnist, agreed, saying it was "marvelous that everyone has become so concerned" about the plight of black America, but that the "gap between 'Mr. Forgotten America' and his white suburban neighbors—in education and income and health and every other measure of well-being—and those living in the black urban ghettos has not closed."¹¹¹ Instead, the "rage, frustration, and sense of isolation" had grown in the face of the very gradualism the Kerner Commission had warned would not alleviate the problems.¹¹² A subsequent report in June of 1970 stated that in the two years since the Kerner Commission's report, the commission's warning on separate societies

¹⁰⁷ Raspberry, "A Year After Kerner Report Nothing Much Has Been Done," *The Washington Post*, March 7, 1969, A23.

¹⁰⁸ *Ibid.*

¹⁰⁹ *Ibid.*

¹¹⁰ *Ibid.*

¹¹¹ David Broder, "Reaction to Welfare Proposals Reflects Stress on Gradualism," *The Washington Post*, August 12, 1969, A17.

¹¹² *Ibid.*

had “become even truer, the gulf of misunderstanding wider and the hope for racial peace and progress slimmer.”¹¹³ Violence and *de facto* racial segregation in America had increased; according to the report, “fewer and fewer whites are welcome in black communities” and “the policeman’s badge is no longer a sufficient symbol of his authority and now in many places he wears an American flag as part of his regalia.”¹¹⁴ Said one concerned citizen in Houston: “there is no doubt that if there is a riot in this town, police will kill a lot of black people.”¹¹⁵ At the dawn of a new decade, white America was “besieged by dark visions” but had “chosen to ignore them.”¹¹⁶

Ten years after the report’s release, in 1978, another retrospective reflected on the commission’s findings. “The stark fact was that, in the atmosphere of ’68, this total package had no more chance of being put through Congress than the fat lady had of being put through the wringer,” the article noted.¹¹⁷ It noted the “dynamite” of the “separate societies” sentence, a sentence that “shocked American sensibilities not because it unwrapped a discovery,” but rather because “an official body, appointed by the President, should have come right out and so bluntly said it.”¹¹⁸ In hindsight, given the “emerging trends in the black Movement,” the editorial argued that the Kerner report “was useless as a coolant.”¹¹⁹ Even as the recommendations floundered, however, the singular, incendiary sentence remained. What America discovered in 1968, however, is that there were not just two Americas; the nation discovered that its psyche was “infinitely splittable,” with “blacks railing at whites, the young shocking the old, the coasts boggling the plains, [and]

¹¹³ Robert Maynard and Philip Carter, “Racial Gulf Widens in Cities,” *The Washington Post*, June 23, 1970, A1.

¹¹⁴ *Ibid.*

¹¹⁵ *Ibid.*

¹¹⁶ *Ibid.*

¹¹⁷ “Two Americas, Many Americas,” *The Washington Post*, October 22, 1978, 21.

¹¹⁸ *Ibid.*

¹¹⁹ *Ibid.*

hippies freaking out hard-hats.”¹²⁰ The Democrats were fractured, as was the New Left, and a gap existed between “those who noisily wanted, and those who quietly feared change.”¹²¹

A 1988 *Washington Post* survey seemed to corroborate the notion of separate societies in the Washington, D.C. area, of a society “divided by race, equal under the law but virtually nowhere else.”¹²² There were areas of improvement in terms of race relations, including social contact, but the survey summary noted that after “the parties are over, the races return to their homes in largely segregated neighborhoods, send their children to largely segregated schools, and pray in largely segregated houses of worship.”¹²³ Discrimination, according to the African Americans polled, remained a “fact of life” in spite of the civil rights advancements of the 1960s.¹²⁴ Local minister Ernest Gibson said that after the abolition of legal segregation, “we have discovered how deep the racial division goes.”¹²⁵ Of the survey participants, 85 percent of blacks and 71 percent of whites believed that some form of discrimination remained in Washington; of the black Americans polled, over 40 percent said they had “faced discrimination when seeking housing, education, or employment or in pay sometime in their lives...of those who reported instances of discrimination, half said the most recent incident occurred within the last 10 years.”¹²⁶ Among the topics covered in the survey, employment was the most polarizing between races; over 60 percent of blacks believed “less qualified whites are frequently promoted over more qualified blacks,” while only 29 percent of whites

¹²⁰ “Two Americas, Many Americas,” *The Washington Post*, October 22, 1978, 21.

¹²¹ *Ibid.*

¹²² *Ibid.*

¹²³ Richard Morin, “Many Here See a Society Still Divided,” *The Washington Post*, Apr. 9, 1988, A1.

¹²⁴ *Ibid.*, A12.

¹²⁵ *Ibid.*

¹²⁶ *Ibid.*

agreed.¹²⁷ A “clear majority” of whites surveyed opposed affirmative action programs, while an “even larger majority” of blacks supported such measures.¹²⁸ The survey also described neighborhoods as “studied in black and white,” with pronounced patterns of racial segregation that open housing had apparently failed to alter.¹²⁹ Many black residents believed they would “not be welcome in certain neighborhoods,” while many white residents said they were “suspicious of the predominantly black D.C. government.”¹³⁰ Two decades on from the commission’s report, the study seemed to indicate that in at least one major American city, the divides that plagued the nation in the turbulent 1960s remained.

Nearly a quarter-century after the release of the Kerner Commission report, Fred Harris, by that point a professor of political science at the University of New Mexico, responded publicly to columnist George Will’s accusations that the Kerner Commission portended the “moral and intellectual decline of the civil rights impulse” because it “declared that blacks, unlike the immigrants who prospered in earlier times, could not achieve unassisted upward mobility because entry-level jobs were disappearing.”¹³¹ Harris, no longer an upstart senator, took exception to this characterization. “Many who oppose the achievement of the civil rights movement are in a great hurry these days to forget our racial history and apparently determined to relive old mistakes,” Harris wrote in *The Washington Post*.¹³² Will and those who agreed with him, Harris said,

¹²⁷ Morin, “A Society Still Divided,” *The Washington Post*, Apr. 9, 1988, A12.

¹²⁸ *Ibid.*

¹²⁹ *Ibid.*

¹³⁰ *Ibid.*

¹³¹ Fred Harris, “Ramifications of Racism,” *The Washington Post*, November 16, 1991, A25.

¹³² *Ibid.*

misunderstood both the commission and the history of black people in America. He continued:

In fact, blacks do have a special place in the life of our nation. The Kerner Commission recognized that fact. It found that American racism had severely damaged the life chances and the status of black people and had created and maintained the ghettos in which the poorest of them were obliged to live. It was essential, the commission concluded, for the nation to take substantial and sustained action to repair the damage.¹³³

Will's comparison of African Americans to other immigrants was unfortunate, Harris continued, because "the fact is that blacks aren't like other immigrant groups...no other group in America save Native Americans has been the object of such sustained virulence in American public and private and policy."¹³⁴ The former commissioner chastised Will for believing that "a few words on paper and a handful of federal programs healed all wounds and stopped racism and the attendant discrimination in its tracks."¹³⁵ Rather, what had happened in the 1960s constituted significant progress, but it did *not* eradicate three-and-a-half centuries of suffering. "Whatever flaws are to be found in black leadership strategies, and whatever defects of character are to be found among the population of the poorest blacks, the gravamens of our racial problems are not to be found in those precincts," Harris declared; almost twenty-four years after the report, he noted, "the black unemployment and poverty rates are regularly two-and-a-half and three times the white rate. Black family wealth is, at most, one tenth of whites."¹³⁶ Contrary to Will's depiction, the Kerner Commission "didn't take the civil rights movement off its moral rails. Rather, the enemies of black progress gained the upper hand in national politics, just as they did after Reconstruction. And today, as then, we will gain nothing by

¹³³ Harris, "Ramifications of Racism," *The Washington Post*, Nov. 16, 1991, A25.

¹³⁴ *Ibid.*

¹³⁵ *Ibid.*

¹³⁶ *Ibid.*

running away from our history.”¹³⁷ Decades after the commission’s report, there were still criticisms, at least from Harris’s perspective, that seemed to misinterpret the commission’s broader points and the expansive, unsettling history that compelled them to make those points.

In August 2014, forty-seven years after the riots that tore apart cities like Newark and Detroit, rioting took place in Ferguson, Missouri, following the shooting death of black teenager Michael Brown by white police officer Darren Wilson. A *Washington Post* piece by scholar Merlin Chowkwanyun recalled the McCone and Kerner Commissions that “came to the same conclusion” that “riots were about far more than just the police” in the 1960s.¹³⁸ “Yet politicians ignored the important diagnoses,” Chowkwanyun said, and if “history is any guide, the Ferguson riots will teach nothing. In urban affairs, it turns out, past is often just prologue.”¹³⁹ The Kerner Commission addressed the “deep grievances afflicting African Americans denied the fruits of the post-war economic boom and so-called ‘affluent society,’” declaring that “police brutality was a final intolerable insult in a larger cycle of everyday deprivation and denial of basic needs and resources.”¹⁴⁰ Ultimately, the author noted, the Kerner report “never quite came to full fruition,” helping to “explain why so little changed.”¹⁴¹ Chowkwanyun assessed the next step:

The choice is a clear one, between concrete action and public policy on one hand, and endless commissions and ‘conversations on races’ on the other. It’s great that the Justice Department will investigate the Ferguson Police Department, an agency that is

¹³⁷ Harris, “Ramifications of Racism,” *The Washington Post*, Nov. 16, 1991, A25.

¹³⁸ Merlin Chowkwanyun, “We keep pledging to study the cause of riots like Ferguson’s. And we keep ignoring the lessons,” *washingtonpost.com*, last modified August 18, 2014, https://www.washingtonpost.com/posteverything/wp/2014/08/18/we-keep-pledging-to-study-the-cause-of-riots-like-ferguson-and-we-keep-ignoring-the-lessons/?utm_term=.1430035fa57a

¹³⁹ *Ibid.*

¹⁴⁰ *Ibid.*

¹⁴¹ *Ibid.*

clearly out of control and incapable of policing itself. But if this results only in a document that sits on a shelf, its efforts will serve nobody but the politicians and civil servants who should really be held accountable for the Ferguson debacle.¹⁴²

On April 30, 2015, days after Freddie Gray died in police custody under suspicious circumstances in Baltimore, *Atlantic* correspondent and public intellectual Ta-Nehisi Coates spoke on the matter at nearby Johns Hopkins University. Coates, a Baltimore native who had grown up in the city in the 1980s, reacted to rhetoric from local and state officials condemning violence. He found that odd, given that “as a young man from West Baltimore...I thought about how violence was tolerated for all of my life here in West Baltimore.”¹⁴³ Coates spoke of state-sanctioned violence in America, of the federal, state, and local policies inflicted on black people in inner cities daily with little regard from white officials or much of white America. He continued:

...I have a problem when you begin the clock with the violence on Tuesday. Because the fact of the matter is that the lives of black people in this city, the lives of black people in this country have been violent for a long time. Violence is how enslavement actually happened....Violence is not even in our past. Violence continues today.¹⁴⁴

Coates spoke in 2015, when students and attendees could record him on their iPads, or chronicle his remarks in real time on Twitter, but as he would readily acknowledge, he could have been speaking in 1967, or 1947, or 1927. The spate of police incidents in the 2010s have mirrored incidents from decades before, with accusations of police brutality and mistreatment of black people by white authorities; the incidents have not only often been fatal, they have also spoken to larger symptoms of institutional

¹⁴² Chowkwanyun, “We keep pledging to study the cause of riots,” [washingtonpost.com](https://www.washingtonpost.com/posteverything/wp/2014/08/18/we-keep-pledging-to-study-the-cause-of-riots-like-ferguson-and-we-keep-ignoring-the-lessons/?utm_term=.1430035fa57a), last modified August 18, 2014, https://www.washingtonpost.com/posteverything/wp/2014/08/18/we-keep-pledging-to-study-the-cause-of-riots-like-ferguson-and-we-keep-ignoring-the-lessons/?utm_term=.1430035fa57a

¹⁴³ Ta-Nehisi Coates, “The Clock Didn’t Start With the Riots,” Transcript of Remarks at Johns Hopkins University, theatlantic.com, last modified April 30, 2015, <https://www.theatlantic.com/politics/archive/2015/04/ta-nehisi-coates-johns-hopkins-baltimore/391904/>

¹⁴⁴ *Ibid.*

racism in America today. The violence that defined the black, inner-city experience triggered the riots in Watts, in Newark, in Detroit; the incident itself was usually violent, as was the community-wide reaction. The National Advisory Commission on Civil Disorders examined these incidents, a broad spectrum across a wide swath of America, and decided to sympathize. The riots were not merely about the incident or the burning and looting thereafter; they were about a compendium of wrongs against black America, about shattered lives and men and women mistreated and neglected for generations on end.

The Kerner Commission so desperately wanted the nation to see past the images of the riots themselves, down to the roots of what transformed the beating of a cab driver or the raiding of a blind pig into days of chaos and destruction. A comprehensive document, rushed but eloquent, measured but concerned, the Kerner report summoned the nation to understand the truth behind riots. It came at a complicated, turbulent moment in American history, and then it vanished almost entirely, only referenced in passing mention when new riots occurred. Today, the Kerner Commission resurfaces with discussions of rioting and police brutality, a reminder that these incidents and the broader issues they illuminate have precedent. America turned away from the commission's final report at a perilous hour in 1968; as we look to the future, we can learn from this missed opportunity and hope that the difficult, persistent questions about race in America do not remain unanswered.

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